

ORIGINAL

**SOUTHCENTRAL SUBSISTENCE REGIONAL ADVISORY COUNCIL  
PUBLIC MEETING**

**September 27, 1995  
Anchor River Inn  
Anchor Point, Alaska**

**VOLUME 1**

COUNCIL MEMBERS PRESENT:

Chairman Roy Ewan  
Lee Basnar  
Robert Henrichs  
Fred John, Jr.

Gary Oskolkoff  
Ben Romig  
Ralph Lohse

MEMBERS OF FEDERAL OR STATE AGENCIES:

Taylor Brelsford, Coordinator  
Dick Marshall  
Rachel Mason  
Greg Bos  
Robert Willis  
Bruce Greenwood  
Steve Zempke

Rod Kuhn  
Tom Boyd  
Mark Chase  
Rick Burns  
Jeff Denton  
John Morrison

MEMBERS OF THE PUBLIC WHO TESTIFIED:

Lynn Whitmore  
Duane Christensen  
Renee Martin  
Keith Presley  
John Simens  
Erny Beile  
Nadine Russo  
Elaina Spraker  
Shirley Schollenberg

Gail Presley  
Jack Arnold  
Shareen Bock  
Lee Martin  
Charles Daniel  
Roger Ager  
Randy Franklin  
Dale Bonderant

## PROCEEDINGS

SEPTEMBER 27, 1995

(Tape: 310-1842)

(0055)

(On record - 7:12 p.m.)

CHAIRMAN EWAN: The meeting of the South-central Alaska Subsistence Regional Advisory Council will -- yeah, we're having problems with the mikes right now so I'm going to have to speak a little louder, I guess, than I normally do. I'm having a problem speaking loud now. Are you picking me up okay?

COURT REPORTER: (Inaudible affirmative response.)

CHAIRMAN EWAN: We'll start off with roll call, okay.

MR. BRELSFORD: Okay. We'll start by calling the roll to establish the quorum for the Southcentral Regional Advisory Council. Roy Ewan?

CHAIRMAN EWAN: Here.

MR. BRELSFORD: Lee Basnar?

MR. BASNAR: Here.

MR. BRELSFORD: Robert Henrichs?

MR. HENRICHS: Here.

MR. BRELSFORD: Fred John, Junior?

MR. JOHN: Here.

MR. BRELSFORD: Gary Oskolkoff?

MR. OSKOLKOFF: Here.

MR. BRELSFORD: Ben Romig is absent. And Ralph Lohse is absent. Mr. Chairman, we do have a quorum.

CHAIRMAN EWAN: All right. I want to welcome everyone here. All the council members; agency staff, both federal and state; and visitors. I would like to introduce the council members first. I'm Roy Ewan. I

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1 live in the village of Gulkana in the Copper River  
2 Basin, and we'll go around this way here. Lee.

3  
4 MR. BASNAR: I'm Lee Basnar. I live in the  
5 Cantwell area.

6  
7 MR. HENRICHS: I'm Bob Henrichs. I live in  
8 the Eyak/Cordova area.

9  
10 MR. OSKOLKOFF: I'm Gary Oskolkoff from  
11 Ninilchik.

12  
13 MR. JOHN: Fred John, Junior, Mentasta Lake.

14  
15 MR. BRELSFORD: I'm Taylor Brelsford. I work  
16 with the Federal Subsistence Program and I'm  
17 substituting for Helga Eakon, who's the normal  
18 coordinator for the Southcentral Council.

19  
20 CHAIRMAN EWAN: So I think we'll just go ahead  
21 and go into the agency introductions. Do you want to -  
22 - how do you want handle that?

23  
24 MR. BRELSFORD: I'd be happy to do that, Mr.  
25 Chairman. We do have some representatives from several  
26 of the federal agencies with land management responsi-  
27 bilities on the Kenai Peninsula. From the Federal  
28 Subsistence Program itself, we have Dick Marshall, the  
29 Acting Deputy Assistant Regional Director; Rachel  
30 Mason, an anthropologist; Greg Bos, a wildlife  
31 biologist, and Robert Willis will be back in the  
32 corner, also a wildlife biologist with the program.  
33 From the National Park Service, Bruce Greenwood is  
34 here. And from the U.S.D.A. Forest Service, Steve  
35 Zempke and Rod Kuhn are here. And I think that's about  
36 all -- sorry, from the Bureau of Land Management, Tom  
37 Boyd; and from the Kenai National Wildlife Refuge, Mark  
38 Chase, in the back of the room.

39  
40 Mark, do you have some people with you that we  
41 should introduce?

42  
43 MR. CHASE: Rick Burns, wildlife biologist  
44 from the Wildlife Refuge. And that's it.

45  
46 MR. BRELSFORD: Okay. And I see I missed one  
47 from the BLM, Jeff -- I'll get it...

48  
49 MR. DENTON: Denton.

50  
51 ~~MR. BRELSFORD: Denton, excuse me. Jeff~~

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1 Denton from the BLM is also with us tonight. I think  
2 that covers the federal people who have come to  
3 participate.  
4

5 CHAIRMAN EWAN: All right. Does somebody want  
6 to start introducing the State people that are here?  
7 John?  
8

9 MR. MORRISON: I'm John Morrison, the Fish and  
10 Game Department Coordinator to the federal agency on  
11 the subsistence issues. And somewhere is Ted Spraker  
12 and Dino (indiscernible - unclear) from Homer, a  
13 wildlife biologist for the Kenai Area. I guess that's  
14 all.  
15

16 CHAIRMAN EWAN: All right. Before we start  
17 with the regular meeting, adopting our agenda and all  
18 that, we want to hear a letter from Mitch Dementieff  
19 that Dick Marshall has brought.  
20

21 MR. MARSHALL: Thank you, Roy. I'll sit over  
22 here so my voice will carry a little better. I have a  
23 letter from Mitch Dementieff, who is the chair of the  
24 Federal Subsistence Board. I'd just like to read this  
25 into the record.  
26

27 "I'd like to welcome you to the Fall 1995  
28 Federal Subsistence Regional Advisory Council meetings.  
29 These fall meetings mark the beginning of a new cycle  
30 of decision making for the next set of annual  
31 subsistence regulations."  
32

33 And I'd like to add, this is the first of 10  
34 meetings that are going to be held throughout the state  
35 during the next four weeks.  
36

37 "These meetings are symbolic of the role of  
38 the regional councils in federal subsistence manage-  
39 ment. They are the starting point from which next  
40 year's subsistence regulations are produced and they  
41 are intended to ensure that subsistence users' needs  
42 are well accommodated in subsistence regulations. Just  
43 as the fall series of regional council meetings is  
44 meant to serve as the kick-off of the annual regulatory  
45 process, the regional councils themselves are meant to  
46 serve as the foundation for subsistence users'  
47 involvement in subsistence management.  
48

49 "The regional councils are the crucial link  
50 between subsistence users and the federal subsistence  
51 board. The members of the councils all have direct,

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1 first-hand experience with subsistence and they are  
2 leaders in their communities. Collectively they  
3 provide the board with unparalleled insight into the  
4 needs of subsistence users statewide and by statute,  
5 their recommendations carry a great deal of weight in  
6 subsistence decision-making.

7  
8 "This begins the third full year that regional  
9 councils have been in operation. During the evolution  
10 of subsistence management during these three years, we  
11 have made great strides in structuring subsistence  
12 management to accommodate subsistence users' customary  
13 and traditional practices in a manner consistent with  
14 maintaining healthy wildlife and fish populations. We  
15 could not have made such progress without the involve-  
16 ment of the regional councils. Without a doubt, such  
17 progress has not been without its share of frustration  
18 in both the federal and regional council arenas.  
19 However, change is sometimes difficult, particularly  
20 when it involves such a complex issue with so many  
21 players. And I believe it is to the credit of all  
22 involved that the program that we now have has so many  
23 new and often quite substantial innovations to  
24 accommodate subsistence uses. For example, largely as  
25 a result of regional council initiative and willingness  
26 to work cooperatively with federal staff, subsistence  
27 users now have available to them, designated hunter,  
28 harvest permitting, community harvest limits and  
29 seasons, harvest limits, methods and means that better  
30 accommodate customary and traditional practices...

31  
32 "We are still faced with issues to be resolved  
33 and more issues will undoubtedly arise in the future.  
34 In fact, some of those issues are on your agenda for  
35 this meeting. I wish you the best of luck at this  
36 meeting and I and the other board members look forward  
37 to seeing your proposals and recommendations."

38  
39 I saw Mitch yesterday and he wanted to assure  
40 that this was read. Thank you very much, Roy.

41  
42 CHAIRMAN EWAN: All right, thank you, Dick.  
43 We'll go on with adoption of the agenda. You have a  
44 fairly long agenda.

45  
46 MR. BASNAR: Did you want to give Robert a  
47 chance to tell people to sign in to testify at this  
48 point?

49  
50 CHAIRMAN EWAN: Oh, okay. I have an  
51 announcement to make and I think Robert is he here?

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1  
2 MR. BASNAR: Yeah.  
3

4 CHAIRMAN EWAN: About those people that may  
5 want to sign up to testify. Robert.  
6

7 MR. WILLIS: I know there's probably more  
8 people here than I have signed on this list who want to  
9 testify. I've got six names here and nobody wants to  
10 be first. So, if you haven't signed this and you'd  
11 like to testify then stop up at the front table and  
12 sign up. If you haven't made up your mind yet, that's  
13 fine. Listen for a while and then you can come by and  
14 sign up. But it gives Roy an idea of how many people  
15 we have that want to speak and how much time we'll  
16 need. Thank you.  
17

18 CHAIRMAN EWAN: Thank you, Robert. We'll go  
19 on down the agenda. The next item is Review and  
20 Adoption of our Agenda. Like I was going to start out  
21 to say, it's very long and I believe Taylor just  
22 mentioned that Helga had to go home to be with her  
23 mother and was not able to make it. She usually comes  
24 and briefs me about the agenda before I come here.  
25 Just, you know, for your audience benefit, a lot of us  
26 are busy at other jobs and we're scattered. When we  
27 meet, practically, is the first time we see most of the  
28 agenda items so...  
29

30 MR. BRELSFORD: Mr. Chairman, perhaps it would  
31 be helpful if I summarized...  
32

33 CHAIRMAN EWAN: Right, good.  
34

35 MR. BRELSFORD: ...the blocks in the agenda...  
36

37 CHAIRMAN EWAN: Okay.  
38

39 MR. BRELSFORD: ...for the benefit of the  
40 audience and for the council. Our business tonight  
41 will be first to elect officers and then to receive  
42 general comments from the public. That would be 7:15  
43 until 8 o'clock. Following that, the council will take  
44 public comment regarding historic and contemporary  
45 resource harvests in the Homer rural area and the Kenai  
46 rural area. So we would try to receive information  
47 from the public about customary and traditional uses of  
48 wildlife resources in those two areas. And that would  
49 take us through the end of the evening's session.  
50

51 ~~Tomorrow we'll continue with a discussion of~~

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1 species and communities on the Kenai Peninsula in Unit  
2 7 and 15. Following that, we'll turn to the C&T,  
3 Customary and Traditional Use determinations, for other  
4 parts of Southcentral Alaska. We have a backlog of  
5 requests that have not yet been considered by the  
6 federal board and this will be an opportunity to  
7 identify priorities in those. Tomorrow afternoon we'll  
8 talk a bit about some of the management issues in the  
9 region including the recent subsistence moose hunt in  
10 Unit 15. There's a topic about residency requirements  
11 that's been carried over from previous meetings. And  
12 then in the late afternoon tomorrow, we'll have reports  
13 from the various land management agencies on the Kenai  
14 Peninsula, including the Chugach Forest, the parks, the  
15 refuges.

16  
17 On Friday morning then, we have a couple of  
18 carry-over items regarding council size and geographic  
19 representation; an item on lynx trapping season and a  
20 discussion about wildlife biology, the basic terms and  
21 concepts. The latter part of the morning on Friday  
22 will include some discussion of the proposal cycle, how  
23 the regional council proposals will be analyzed and  
24 reviewed, leading up to the board meeting. And  
25 finally, we'll talk about the annual report to the  
26 federal subsistence board and a couple of other  
27 internal matters in the council's program.

28  
29 So I think that constitutes a bit of an  
30 overview. Our principal topic tonight is the Customary  
31 and Traditional uses in two parts of the Kenai  
32 Peninsula and so the public testimony could be focused  
33 on those issues.

34  
35 (Mr. Romig enters room.)

36  
37 CHAIRMAN EWAN: All right. I want to -- we'll  
38 continue -- to introduce Ben Romig. He's also a  
39 council member. Ben, do you want to tell us where  
40 you're from?

41  
42 MR. ROMIG: Cooper Landing.

43  
44 CHAIRMAN EWAN: Okay. Okay, the agenda. Lee.

45  
46 MR. BASNAR: Mr. Chairman, I move we adopt the  
47 agenda as published.

48  
49 CHAIRMAN EWAN: Okay, the motion to adopt the  
50 agenda. Is there a second?

51

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1 MR. OSKOLKOFF: Second.  
2  
3 CHAIRMAN EWAN: Okay, the motion's seconded.  
4 Any further discussion on the motion? If not, all in  
5 favor say aye.  
6  
7 ALL IN UNISON: Aye.  
8  
9 CHAIRMAN EWAN: Opposed by the same sign?  
10  
11 (No opposing responses)  
12  
13 CHAIRMAN EWAN: Motion is carried. The next  
14 item on the agenda is adoption of minutes. I believe  
15 we need two separate motions for two different  
16 meetings, February 28th and March 2nd. And the minutes  
17 are in your packet. Do you need a minute or two to  
18 look at them?  
19  
20 MR. OSKOLKOFF: Yes.  
21  
22 CHAIRMAN EWAN: Okay, we'll take a minute or  
23 two. (Pause) There's two meetings. One was February  
24 28th through March 2nd and the other meeting was July  
25 12th. So that's why we have to have two motions.  
26 (Pause) I'll entertain a motion to adopt the minutes  
27 of February 28th. Are there motions?  
28  
29 MR. BASNAR: So moved.  
30  
31 CHAIRMAN EWAN: By Lee Basnar. Is there a  
32 second?  
33  
34 MR. JOHN: Yes.  
35  
36 CHAIRMAN EWAN: Fred John, second. Any  
37 further discussion on the motion? If not, all in favor  
38 say aye.  
39  
40 ALL IN UNISON: Aye.  
41  
42 CHAIRMAN EWAN: Opposed by the same sign?  
43  
44 (No opposing responses)  
45  
46 CHAIRMAN EWAN: Motion is carried. July 12th.  
47  
48 (Pause)  
49  
50 MR. BASNAR: Are you ready?  
51

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1 CHAIRMAN EWAN: Yes.  
2  
3 MR. BASNAR: Mr. Chairman, I move we adopt the  
4 minutes of the July 12 meeting.  
5  
6 CHAIRMAN EWAN: There's a motion. Is there a  
7 second?  
8  
9 MR. ROMIG: I'll second it.  
10  
11 CHAIRMAN EWAN: There's a motion, second.  
12  
13 (Ralph Lohse enters room.)  
14  
15 MR. BRELSFORD: Excuse me, who was the second?  
16  
17 CHAIRMAN EWAN: Ben.  
18  
19 MR. BRELSFORD: Thank you.  
20  
21 MR. LOHSE: What are you doing?  
22  
23 CHAIRMAN EWAN: We're voting on the minutes --  
24 adopting minutes. We're on our July 12th minutes. Is  
25 there further discussion on the motion? Okay, hearing  
26 none, you're all ready to vote. All in favor say aye?  
27  
28 ALL IN UNISON: Aye.  
29  
30 CHAIRMAN EWAN: Opposed by the same sign?  
31  
32 (No opposing responses)  
33  
34 CHAIRMAN EWAN: The motion's carried. Minutes  
35 adopted of both meetings. Next item is Election of  
36 Officers. Before we do that, I'd like to introduce  
37 Ralph Lohse here. Ralph, would you tell us where  
38 you're from?  
39  
40 MR. LOHSE: I'm from Cordova.  
41  
42 CHAIRMAN EWAN: Okay. And I'll turn this over  
43 to Taylor.  
44  
45 MR. BRELSFORD: Thank you very much, Mr.  
46 Chairman. The first office that we'll need to elect  
47 today is the office of Chair for the Southcentral  
48 Regional Advisory Committee. The chair serves a one-  
49 year term; however the chair may serve for more than  
50 one year in successive terms. The responsibilities of  
51 the chair include the conduct of the regional council

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1 meetings. The chair attends and represents the  
2 regional council at meetings of the federal subsistence  
3 board. The officers are voting members of the council.  
4 The chair signs reports, correspondence, meeting  
5 minutes and other documents for external distribution.  
6 At this time I'd like to open the floor for nominations  
7 for the office of Chair.  
8  
9 MR. OSKOLKOFF: Are you conducting the meeting  
10 at this point?  
11  
12 MR. BRELSFORD: I think the idea is that I'll  
13 conduct the election for the chair and then the newly  
14 elected chair would conduct the elections for the vice-  
15 chair and the secretary position. All three of the  
16 council officer positions have to be re-elected each  
17 year. They're one-year terms. So my role would be  
18 only until the new chair is elected.  
19  
20 MR. OSKOLKOFF: Okay, in that case, Mr.  
21 Brelsford, I'd like to nominate Roy Ewan.  
22  
23 MR. HENRICHS: I'll second.  
24  
25 MR. BRELSFORD: Okay, we have one nomination  
26 offered and seconded. Are there any other -- any  
27 further nominations?  
28  
29 MR. OSKOLKOFF: I move to close nominations.  
30  
31 MR. BASNAR: Second.  
32  
33 MR. BRELSFORD: Okay. Nominations are now  
34 closed -- actually, I guess we have to vote on the  
35 closure of nominations. I take it back, that's not  
36 right. I'm missing -- the vote is in regard to the  
37 chairmanship. We have...  
38  
39 MR. JOHN: It's a unanimous consent.  
40  
41 MR. BRELSFORD: Yeah, only a single candidate.  
42 So, perhaps there would be a motion to adopt by  
43 unanimous consent?  
44  
45 MR. HENRICHS: So moved.  
46  
47 MR. JOHN: I second.  
48  
49 MR. BRELSFORD: All in favor, please say aye.  
50  
51 ~~ALL IN UNISON: Aye.~~

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1  
2 MR. BRELSFORD: Any opposed, please so  
3 indicate.

4  
5 (No opposing responses)

6  
7 MR. BRELSFORD: Okay, we have a newly elected  
8 chair for the Southcentral Regional Advisory Council.  
9 Mr. Ewan, I turn the chair back to you.

10  
11 CHAIRMAN EWAN: Okay, thank you. And thank  
12 you council members for the vote. The next office is  
13 vice-chairman. The nomination's open for vice-chair.

14  
15 MR. HENRICHS: I nominate Gary.

16  
17 CHAIRMAN EWAN: Gary Oskolkoff is nominated.  
18 Do you accept, Gary?

19  
20 MR. HENRICHS: We need a second.

21  
22 CHAIRMAN EWAN: You don't really. I don't  
23 think you need a second.

24  
25 MR. BRELSFORD: Well, let's see if there are  
26 other nominations.

27  
28 MR. LOHSE: I nominate Lee Basnar.

29  
30 CHAIRMAN EWAN: I didn't hear if you accepted  
31 or not?

32  
33 MR. JOHN: You haven't.

34  
35 MR. OSKOLKOFF: I'd like to decline the  
36 nomination.

37  
38 CHAIRMAN EWAN: All right. Gary declines the  
39 nomination and Ralph nominates Lee Basnar. Any other  
40 nominations? Does somebody want to make a motion to  
41 close the nominations?

42  
43 MR. OSKOLKOFF: I move the nominations cease.

44  
45 CHAIRMAN EWAN: There's a motion. Is there a  
46 second?

47  
48 MR. ROMIG: Second.

49  
50 CHAIRMAN EWAN: There's motion second. All in  
51 favor to close the nominations, say aye.

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1  
2 ALL IN UNISON: Aye.  
3  
4 CHAIRMAN EWAN: Opposed by the same sign?  
5  
6 (No opposing responses)  
7  
8 CHAIRMAN EWAN: The motion is carried. Okay,  
9 I guess we'll just ask unanimous consent. Is there any  
10 objection?  
11  
12 MR. HENRICHS: Yeah. I'm not going to -- it's  
13 not unanimous.  
14  
15 CHAIRMAN EWAN: All right. We'll vote hand  
16 vote then. All for electing Lee Basnar raise your  
17 right hand. I guess that's a majority for. Against?  
18 Okay, one against. You're the vice-chair.  
19  
20 MR. BASNAR: Thank you.  
21  
22 CHAIRMAN EWAN: The next office is secretary.  
23  
24 MR. BASNAR: I nominate Ralph Lohse.  
25  
26 CHAIRMAN EWAN: Ralph has been nominated. Is  
27 there...  
28  
29 MR. LOHSE: I'd like to decline that.  
30  
31 CHAIRMAN EWAN: Okay. Is there any other  
32 nomination?  
33  
34 MR. LOHSE: I'll nominate Gary Oskolkoff.  
35  
36 MR. OSKOLKOFF: I'll decline the nomination.  
37  
38 MR. HENRICHS: I nominate Ben.  
39  
40 MR. ROMIG: I'd like to decline it.  
41  
42 MR. HENRICHS: Give me a reason.  
43  
44 CHAIRMAN EWAN: Well there's only two left  
45 then.  
46  
47 MR. BASNAR: I'll nominate Fred.  
48  
49 MR. JOHN: I'll accept since I got two more  
50 years.  
51

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1 MR. BASNAR: Okay.  
2  
3 CHAIRMAN EWAN: Any other nominations? Any  
4 other nominations?  
5  
6 MR. OSKOLKOFF: I move that the nominations  
7 cease.  
8  
9 CHAIRMAN EWAN: All right. There's a motion  
10 to close the nomination. Is there a second?  
11  
12 MR. BASNAR: Second.  
13  
14 CHAIRMAN EWAN: A motion and a second. Any  
15 further discussion on the motion? If not, all in favor  
16 all say aye.  
17  
18 ALL IN UNISON: Aye.  
19  
20 CHAIRMAN EWAN: Opposed by the same sign?  
21  
22 (No opposing responses)  
23  
24 CHAIRMAN EWAN: The motion is carried. And  
25 again, we'll ask unanimous consent. Is there any  
26 objection? Hearing none, Fred you're the secretary.  
27  
28 Now we'll get into the public comment part.  
29 I want to remind everyone that wants to speak tonight  
30 to sign up back there and we'll go by the list for  
31 this.  
32  
33 UNIDENTIFIED: I don't think they hear you in  
34 the rear.  
35  
36 CHAIRMAN EWAN: How many have a hard time  
37 hearing? All right, boy, it's very difficult to talk  
38 real loud. I talk low anyway so I'm -- it's going to  
39 be a struggle. Our mikes are not working. I'll try to  
40 do my best.  
41  
42 MR. BASNAR: Does this help any? Is that  
43 louder back there?  
44  
45 UNIDENTIFIED: Yeah. Yeah.  
46  
47 CHAIRMAN EWAN: Maybe we ought to get it  
48 closer.  
49  
50 MR. BASNAR: Maybe we can unstrap these and  
51 Roy can hold it in his hand, then you can hear better.

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1  
2 CHAIRMAN EWAN: All right. The first person  
3 that is going to speak tonight is Lynn Whitmore. Lynn  
4 Whitmore? Would you please come forward and state your  
5 name and testify right there.  
6

7 MR. WHITMORE: My name is Lynn Whitmore, and  
8 I'm the chairman of the Homer Fish and Game Advisory  
9 Committee. Obviously this thing isn't working.  
10

11 CHAIRMAN EWAN: Pick it up and talk into it.  
12 See if that helps.  
13

14 MR. WHITMORE: Okay. I'll speak loudly. I'm  
15 the chairman of the Homer Fish and Game Advisory  
16 Committee. I've been on the committee 12 or 13 years.  
17 And I've already made a statement to this group before  
18 when they spoke in Homer, so I won't bore you with  
19 those details all over again. We feel that we recog-  
20 nize and support subsistence efforts in this area that  
21 are ongoing for the qualified customary and traditional  
22 uses. However, our committee feels that the  
23 subsistence needs in this area are being met with the  
24 seasons and limits currently in place. And that seems  
25 to be pretty universal in the people that talk to me.  
26

27 One of the things I'm getting asked an awfully  
28 lot -- and I believe it comes up a little later in the  
29 committee -- in this meeting -- is what was -- people  
30 want to know what the results of the 15 -- Unit 15  
31 subsistence hunts were. And they want to know the  
32 efforts versus the success. They seemed to be a real  
33 big deal to a lot of people because the hunt itself  
34 divided the community up so much. Everybody kind of  
35 wanted to see, well, was it worth it. And that's what  
36 a lot of people come to me and ask me, if it was worth  
37 this division. And I'd like to ask the question, how  
38 much effort there was and what the success was? I've  
39 read some of it in the paper, but I don't know what it  
40 is currently.  
41

42 CHAIRMAN EWAN: Do you want to ask at this  
43 point?  
44

45 MR. WHITMORE: Can I?  
46

47 CHAIRMAN EWAN: Sure. Is there anybody -- any  
48 agency person? Dick?  
49

50 MR. MARSHALL: Yeah, I can't exactly tell you  
51 what the effort is. I can tell how many permits were

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1 issued. I can't be sure how many of those people  
2 actually made the effort. There were two hunts. One  
3 was the hunt that began 10 days earlier than the state  
4 hunt. It began August 10th and lasted until September  
5 25th -- or September 20th, I believe. It just ended.  
6 We don't have all those reports in but we do know there  
7 were a 120-some permits issued for that hunt. We have  
8 reports of only two moose killed under that permitting  
9 system. One of those was not taken on federal public  
10 land; one was. We had another hunt which was a hunt  
11 that began in Skilak Loop area for cows and spike-fork  
12 bulls. There were ten permits available for each of  
13 those two hunts that began September 1st, ended  
14 September 14th. There were -- the information I had,  
15 there were 8 to 10 permits and there were no moose  
16 reported killed.

17  
18 MR. WHITMORE: Okay, I..

19  
20 CHAIRMAN EWAN: All right, you may continue.

21  
22 MR. WHITMORE: Thank you. That -- I guess my  
23 point is, it seems like with all the meetings we've had  
24 so far and the regulations the way we've laid it out,  
25 we've managed to bring one moose into the subsistence  
26 use area. It seems -- this seems like an incredible  
27 amount of effort and an awful lot of division of  
28 communities and neighbors for one moose. That's the  
29 comment I wanted to make. Thanks.

30  
31 (Applause)

32  
33 MR. HENRICHS: I got a question here.

34  
35 CHAIRMAN EWAN: All right.

36  
37 MR. HENRICHS: Yeah, how do you make your  
38 living? I'm just curious.

39  
40 MR. WHITMORE: I'm an engineer. I live down  
41 here by the mouth of Anchor River and I've managed to  
42 get my moose the regular season.

43  
44 CHAIRMAN EWAN: Ralph, did you have a question  
45 too?

46  
47 MR. LOHSE: No.

48  
49 CHAIRMAN EWAN: Okay. Lee.

50  
51 MR. BASNAR: Lynn, you indicated in your

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1 opening remarks that you -- let me put my glasses on so  
2 I can see my notes here -- that you supported qualified  
3 subsistence users. Was that your remark?  
4

5 MR. WHITMORE: Yes, it was.  
6

7 MR. BASNAR: Would you define your definition  
8 of a qualified subsistence user for us, please?  
9

10 MR. WHITMORE: Well, boy, that's a pretty  
11 broad question. I haven't even been able to see the  
12 state quantify that yet.  
13

14 MR. BASNAR: I'm not trying to put you on the  
15 spot but I'm trying to get a feel for what you and the  
16 people you represent, your advisory committee, would  
17 consider to be a qualified subsistence user.  
18

19 MR. WHITMORE: Okay, I guess I'll just speak  
20 on -- the theory that we go by is just a -- basically,  
21 what an awful lot of people in the audience are feeling  
22 is if you live in an area where the customary and  
23 traditional uses have been on those resources and you  
24 don't have access to K-Mart and some of the other  
25 stores and you live as close to those facilities as the  
26 next guy, we don't like to see the race story come up  
27 like it's come up. That we have a history of some big  
28 problems in Ninilchik with somebody that was closing  
29 access off because of that. It's caused so much  
30 division that we try to stay away from that. And we've  
31 gone with the historical traditional use -- Port  
32 Graham, English Bay or Nanwalek, Seldovia. And we've  
33 kept the subsistence salmon fishery in Kachemak Bay.  
34 And things have been going along very smooth, very  
35 quiet, for a long time in this area. And that's the  
36 approach we'd like to keep. It seemed like we didn't  
37 have a big riffle here until this all began again.  
38

39 MR. BASNAR: Thank you. And I realize you  
40 represent one group and I'm sure there are other people  
41 here that are going to testify that represent different  
42 groups. So please don't think that I'm trying to pin  
43 you to the wall, but I'm trying to get a sense of the  
44 people on the Kenai. I'm from up in the Cantwell area.  
45 I don't know the Kenai Peninsula that well. I have  
46 never hunted here. I've caught a fish or two now and  
47 then. But my next question would be, do you consider  
48 any of the Kenai Peninsula, excluding, I think those  
49 three communities across Kachemak Bay, to be a  
50 customary and traditional use group?  
51

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1 MR. WHITMORE: Not on the road-connected  
2 system. And I would ask this committee to strongly  
3 consider taking the input or considering the input from  
4 each of those communities that have come in to -- with  
5 testimony so far to -- with the other meetings. Unless  
6 I'm wrong, almost every community, if not every  
7 community that's been considered so far has said,  
8 please, no thank you.

9  
10 MR. BASNAR: We're going to discuss the Homer  
11 rural area for the first time. It's a deferred topic  
12 because we didn't have any sense of that area. Again,  
13 because of my ignorance from where I live, so far away  
14 from you people. Is there -- are there any users in  
15 the Homer rural area that you and your committee would  
16 consider to be off-road and therefore, a qualified  
17 subsistence user?

18  
19 MR. WHITMORE: If the communities that were so  
20 far back out of the -- out of the beaten path had been  
21 in place long enough in our history to qualify for  
22 customary and traditional, I'd say, yes, there were  
23 some to consider. But the ones that are in this area  
24 on the non-road accessible portions have not been  
25 around long enough for us to feel it would be even  
26 close to qualifying.

27  
28 CHAIRMAN EWAN: Thank you very much, if  
29 there's no other questions.

30  
31 MR. WHITMORE: Thank you for this opportunity.

32  
33 CHAIRMAN EWAN: That next person that we'll  
34 call up is Duane Christensen. Is Duane here?

35  
36 MR. CHRISTENSEN: Duane Christensen, Alaskan.  
37 I've lived here since 1950. I think I have a little  
38 problem with what was just said there. I grew up in a  
39 little fishing town in Southeast. I've lived and  
40 worked up in Coldfoot. I've lived in Bethel. I've  
41 lived in Fairbanks and then I've lived down here since  
42 1989. And I have subsisted every year. And so -- gee,  
43 that goes back to 1950. That's longer than 25 years  
44 and I think that's your qualification for traditional  
45 use. I see Alaska as my home and I utilize its  
46 resources to subsist here, whether it's in the Kenai  
47 Peninsula or hunting caribou in the Nelchina herd.

48  
49 And so I have a problem with this definition,  
50 this division of class here with any Alaskans. This --  
51 this little band that you've drawn up on your map down

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1 here proposing that the Homer and Anchor Point area are  
 2 now urban somehow. Now because of the line that you've  
 3 drawn, you have said that I'm not a subsistence user  
 4 and that I don't do that customarily and traditionally.  
 5 And I have a problem with that. Now it means I got to  
 6 sell my house and move out 10 miles so I can become  
 7 what I was once. I think you guys need to reconsider  
 8 this. We're all Alaskans and all you're doing is  
 9 creating the division between classes of people,  
 10 whether it be race or income. And I don't know what  
 11 the question was referring to -- what the fellow there  
 12 asked, what the guy did for a living. It doesn't  
 13 matter to me what a guy does for a living, if he lives  
 14 in Alaska, he's an Alaskan and he ought to be able to  
 15 hunt and fish. That's all I have to say, thanks.

16  
 17 (Applause)

18  
 19 MR. HENRICHS: Yeah, what do you do for a  
 20 living?

21  
 22 MR. CHRISTENSEN: I'm medically retired.

23  
 24 MS. RENEE MARTIN: Why do you want to know?

25  
 26 MR. CHRISTENSEN: Yeah, what's the point?

27  
 28 CHAIRMAN EWAN: All right, maybe there were  
 29 other questions but he already left so we'll -- the  
 30 next person will be Keith Presley. Keith?

31  
 32 MR. PRESLEY: Gentlemen, I'd like to introduce  
 33 myself, I'm Keith Presley. I'm a lifelong Alaskan. I  
 34 was born here in the Kenai Peninsula, in Ninilchik to  
 35 be exact. I've resided here all my life and I've  
 36 hunted and fished here all my life. And I think we're  
 37 maybe missing a little bit on the subsistence issue  
 38 here as customary/traditional. How many fish can a  
 39 person catch each year legally during the fish season?  
 40 Halibut, you're allowed two. Salmon, you're allowed  
 41 five for the year. Halibut, I would say two a day.  
 42 That puts in a lot. Each family -- I personally feed  
 43 my family plus my mother-in-law and my brother-in-law's  
 44 family with a moose each year. And, the good Lord  
 45 willing, I have been successful in the last nine years,  
 46 every year. I do spend a lot of time at it and I, you  
 47 know -- it's very important to me, obviously.

48  
 49 I do have the means, if you want to ask, sir,  
 50 what I do make or what I do for a living. I own a  
 51 service station in Ninilchik. And I do have the means

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1 to buy this meat. And I could say that for just about  
 2 everybody in Ninilchik. Probably if they decided to  
 3 put their money in that position, they do have the  
 4 means to buy the meat. It is something I desire, as  
 5 far as moose meat, as part of my diet. So that is  
 6 important too. Out there, I have hunted this area that  
 7 has been very much in the limelight right now. The  
 8 federal moose range. And that is -- which is the  
 9 subsistence use right now. And I have -- I own horses  
 10 to be able to get onto this range, because it's a non-  
 11 motorized area. And I go out there and I ride 12 to 15  
 12 hours a day. I mean, I may not be in saddle that whole  
 13 time, but I am out there looking and hunting.

14  
 15 And I have seen what are -- I have seen --  
 16 I've been out there since I was 12 years old hunting.  
 17 And at that time we -- it was an overused area. There  
 18 was no restrictions on horn limits. We had -- a few  
 19 years earlier, we had had cow seasons, reduced the  
 20 number of cows, reduced the moose population as a  
 21 whole. It was cut down. The bulls were not in the  
 22 area. The animals were not in the area. My father's  
 23 been here since '58. Maybe -- and to some gentlemen  
 24 and members here that that is not a long time. But it  
 25 is before statehood, so we can say that. They were out  
 26 there. They have seen at times, easily 40, 50 moose,  
 27 no problem, hunting in a two or three-hour period.  
 28 That is not to be seen now. I hunt, like I said, I  
 29 told you how many hours I hunt a day. I was lucky to  
 30 see this year, in certain hunts, two and three cows.

31  
 32 I think we should address also not just the  
 33 subsistence issue but we should look at a biological  
 34 issue -- is, these animals cannot stand the tremendous  
 35 pressure that is put on them by extra days in the  
 36 season. Extra hunting privileges to people that may or  
 37 may not use them. If you are willing to spend the time  
 38 out there, if you can do this, then you will be  
 39 rewarded with an animal. They are there for the  
 40 taking, but you have to be willing to hunt. You can't  
 41 drive on a car out there and hunt these things on the  
 42 federal wildlife reserve. It is not accessible. It is  
 43 not obtainable to do this. I think we should look at  
 44 this as not what it really is coming out on the board  
 45 here as a subsistence issue. This is not about  
 46 subsistence, in my opinion. People are acting on  
 47 something -- subsistence as a word to us in Ninilchik,  
 48 where we can go to K-Mart, where we can go to these  
 49 other places, is not applicable. We don't need that.  
 50 The people that I talk to -- and I have a great number  
 51 of people come into my station -- the general consensus

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1 that I get is that we don't need this. We're not  
2 rural. We are in a connected-road system. We don't  
3 desire to have this subsistence issue. And I guess I  
4 would take any comments and would readily accept any  
5 questions.

6  
7 CHAIRMAN EWAN: Lee.

8  
9 MR. BASNAR: Thank you, Mr. Chairman. Keith,  
10 I'm just a little confused on the biological health of  
11 the moose herd. It was my impression, based on some  
12 previous comments by biologists, that the spike/fork 50  
13 rule enhanced the moose herd.

14  
15 MR. PRESLEY: It has. Yes, it has.

16  
17 MR. BASNAR: Yet, I gathered from you that you  
18 weren't seeing many moose these days. So, could you  
19 clear that up for me?

20  
21 MR. PRESLEY: Yes, I sure could. I'm sorry, I  
22 kind of left that hanging. When I was first starting,  
23 I would say around 10 to 12 years old, and I was out  
24 there riding, we had a low population. I felt then  
25 that we were lucky to see the animals that we did.  
26 When the spike/fork intervention came in, we saw a  
27 great number of increasion (sic) -- each year we had a  
28 good increase. And now, more people are comfortable  
29 with the rule. They are better able to judge the 50-  
30 inch regulation. They are probably more -- at first, I  
31 think that people were a little disenchanted with it  
32 and they weren't hunting.

33  
34 And now there is a great number of people out  
35 in there. And the numbers are -- if not a little bit  
36 lower the last three years, they are still pretty  
37 steady. I think it is very necessary and, in my  
38 opinion, imperative that we keep these rules in place.  
39 The population can't stand any more special privilege  
40 to kill a cow here, to kill a junior bull, if you will,  
41 in between. They can't stand that. They're being  
42 harvested at a rate right now with the rules in place,  
43 that is acceptable at best, if we could reduce the  
44 season from -- if with the subsistence from 40 days,  
45 without the subsistence, just the general hunt back, in  
46 my opinion, back to 20 days. It would be better for  
47 the moose population.

48  
49 MR. BASNAR: Okay, final question from me.  
50 You indicated you own horses?  
51

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1 MR. PRESLEY: Yes, sir.  
2  
3 MR. BASNAR: And that you spend many hours on  
4 horses hunting in this area?  
5  
6 MR. PRESLEY: Yes, sir.  
7  
8 MR. BASNAR: What is the success rate of  
9 people who don't have access to horses in this area  
10 that you hunt in?  
11  
12 MR. PRESLEY: In this area that I hunt, a  
13 gentleman that I know, a Mr. Zimmerman, he brings in a  
14 party on the legal days that you're allowed to, on the  
15 10th of September and then you can transport hunters  
16 and hunting material on the 15th. In this case, this  
17 year, he brought in eight hunters on the 15th. That's  
18 five days left in the season. This gentleman, on foot,  
19 took six bulls out of less than a square mile area.  
20 This is right on the Trophy Lake draw. So I would say  
21 that if you are willing to spend the time, if you are  
22 willing to go out there, your success ratio can be  
23 good.  
24  
25 CHAIRMAN EWAN: Thank you. Any other  
26 questions? Okay, thank you. The next person will be  
27 John -- I couldn't pronounce your last name, John.  
28 It's a P. I guess it's -- I don't know -- G or A-m-e-n.  
29  
30 MR. SIMENS: Simens.  
31  
32 CHAIRMAN EWAN: All right John Fimens --  
33 Simens?  
34  
35 MR. SIMENS: Gentlemen. I've lived here since  
36 1955. And I've -- raised here and went to school and  
37 have hunted here and subsisted here. I've -- my  
38 family, up until this date -- I live right here in  
39 Anchor Point. And my family has followed my tradition.  
40 We hunt. We've hunted this year extensively. We did  
41 not get a moose. Numerous errant cows. We saw two  
42 bulls, which were in the illegal status. And my  
43 feeling is, is I don't think we need to bear any more  
44 pressure on our moose population here as it is now.  
45  
46 I think fair is fair and I beg you not to put  
47 this subsistence thing in. I think that we should  
48 continue with what we have as the process we're doing  
49 now. We're -- I don't understand why they have sorted  
50 a rural system out that compares one community to  
51 another and I would like to address that as a question

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1 to you as the council. Why have they done that? Is  
2 there anyone in the council that can answer me that?

3  
4 CHAIRMAN EWAN: Ralph.

5  
6 MR. SIMENS: Why would you take Ninilchik over  
7 Anchor Point?

8  
9 CHAIRMAN EWAN: Yeah, Mr. Lohse will give you  
10 an answer.

11  
12 MR. LOHSE: The only comment I can give on  
13 that is that as a subsistence board, we haven't decided  
14 which communities are rural and which ones aren't.  
15 That came under federal regulations.

16  
17 MR. SIMENS: Okay. And...

18  
19 MR. LOHSE: All we could do as a subsistence  
20 board -- and if you take a look at what we've tried to  
21 do, we were very inclusive. We tried to include as  
22 many people as possible. All we could decide is  
23 whether the community had customary and traditional  
24 use. We could not decide whether the community was  
25 rural. We could only decide whether that rural  
26 community had customary and traditional use of the  
27 resource. And if you take a look at what we did, other  
28 than the Homer rural area, which we have not addressed  
29 yet, we basically tried to be as inclusive as we could  
30 and see as many people as we could have a customary and  
31 traditional use as a council. If you go back and look  
32 at our records, you'll see that. The decision as to  
33 whether it's rural or not is not ours to make.

34  
35 MR. SIMENS: Okay. My question, to go beyond  
36 that, would be, is -- why, I mean, the difference  
37 between Ninilchik, Anchor Point and Homer. Is it  
38 because there has been a Native village designated  
39 there or...

40  
41 MR. LOHSE: No. Actually, if you'll take a  
42 look at it, you'll find that there is a federal line on  
43 the map -- isn't there -- basically, that has divided  
44 those off as rural and non-rural areas. I mean, that  
45 was the decision that was made before we ever existed.

46  
47 MR. SIMENS: Okay.

48  
49 MR. LOHSE: And it's just like -- if I  
50 remember right -- the line at Clam Gulch, takes Clam  
51 Gulch we didn't draw that line. That line was

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1 there. And that puts Clam Gulch on one side of the  
2 line, it says it's non-rural where Ninilchik's on the  
3 other side of the line, it says it is rural.

4  
5 MR. SIMENS: Okay, and this didn't come public  
6 until recently?

7  
8 MR. LOHSE: No. That's been public for a long  
9 time because that came under the federal -- that came  
10 -- that was done back when the federal went through the  
11 communities deciding what was rural and non-rural back  
12 when the communities could -- I don't remember. I  
13 wasn't part of that at that time. But at that time I  
14 can remember that the state and the federal government  
15 worked together, and the communities actually had  
16 hearings as to whether they were rural or non-rural.  
17 That was, like I said, that was prior to this council's  
18 existence. What we were basically given was a list of  
19 rural communities to decide whether those rural  
20 communities had used them in the past.

21  
22 CHAIRMAN EWAN: Lee, did you want to add  
23 something?

24  
25 MR. BASNAR: Yeah, the state did a lot of work  
26 on those rural and non-rural designations throughout  
27 Alaska, not just on the Kenai Peninsula. And as Ralph  
28 said -- Ralph is exactly correct -- we didn't draw the  
29 line but I'd like to go a little bit further in saying,  
30 that's not to say that we can't recommend that the line  
31 be moved. We have not taken that yet. We haven't  
32 addressed it as a council and that's why we're here  
33 listening to you the public. And if you see things  
34 that you don't like, and obviously you do, then tell us  
35 and, you know, I can't promise what the action will be  
36 but we'll certainly take a look.

37  
38 MR. SIMENS: Then my statement is that I  
39 greatly oppose the additional hunt, as far as my  
40 testimony is concerned. The reason being is the  
41 pressure and the population that we have. And myself  
42 and my experiences as far as hunting out here that I  
43 think that the antler restrictions has worked. And our  
44 season as it has been set by our local Fish and Game, I  
45 think is the best situation.

46  
47 CHAIRMAN EWAN: All right. Is that the end of  
48 your testimony?

49  
50 MR. SIMENS: That is my -- end of my  
51 testimony.

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1  
2 CHAIRMAN EWAN: Okay. There's a question.  
3  
4 MR. HENRICHS: I'd like to know what you do  
5 for a living also?  
6  
7 MR. SIMENS: I work for the State of Alaska.  
8  
9 CHAIRMAN EWAN: Thank you very much, John.  
10  
11 MR. CHRISTENSEN: Chairman, can I ask you a  
12 question? Is it inappropriate?  
13  
14 CHAIRMAN EWAN: I guess. If I can answer,  
15 yes. Go ahead. If I can't answer it, we'll have to go  
16 on with the testimony.  
17  
18 MR. CHRISTENSEN: From my understanding from  
19 what the fellow is saying here then, if this is a  
20 geographical issue, where you live is what determines  
21 whether you use customary and traditional means to  
22 hunt, and not whether you're an individual that has  
23 established that. There's a lot of us -- Anchor Point  
24 was founded many years ago and it was people who lived  
25 right here. It's newcomers that are living out there  
26 that you've established as rural preference. So what  
27 is it?  
28  
29 CHAIRMAN EWAN: All right, Ralph, you have a  
30 comment?  
31  
32 MR. LOHSE: Chairman, I'll try to answer that  
33 to the best of my understanding. I'd like corrections  
34 from the people that know a little bit more than I do.  
35 To a certain extent, you're right. That is one of the  
36 perceived unfairnesses of the whole thing, is the fact  
37 that you can -- if you live in a designated non-rural  
38 community, it doesn't matter what your personal  
39 customary and traditional uses were because the only  
40 thing that we can address is a rural community. And  
41 the rural/non-rural status, Lee says that we can go  
42 back and make recommendations on it, but that is  
43 something that basically was done prior to the councils  
44 ever being formed. And that went through all kinds of  
45 hearings and public meetings and stuff like that back  
46 with the state and the federal government over the Tier  
47 II thing, and it was to decide which communities were  
48 rural and which communities where non-rural because  
49 ANILCA basically says that rural, Native and non-  
50 Native, have subsistence preference in the state of  
51 Alaska.

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1  
2 And -- so when a community becomes urban, it's  
3 out of the subsistence realm, whether the individual  
4 was a subsistence user or not prior to that time. Now  
5 again, what this is -- this is -- being a nation that  
6 lives under law, this is a law that's come down from  
7 the Congress of the United States. There's only one  
8 real solution to it, if you don't like it, is get the  
9 law changed. I mean, and that means, what you're going  
10 to have to do is you're going to have to lobby the  
11 Congress of the United States to change or clarify the  
12 law because they established the idea that subsistence  
13 was for rural communities, not for non-rural  
14 communities.

15  
16 MR. CHRISTENSEN: And what convoluted  
17 reasoning established Ninilchik as rural and not Anchor  
18 Point?

19  
20 CHAIRMAN EWAN: I don't think we have the  
21 answer to that.

22  
23 MR. LOHSE: That wasn't us.

24  
25 CHAIRMAN EWAN: Yeah, okay. We'll move on  
26 here. We got -- gee, four more -- five more speakers  
27 here. The next person is Erny Beile, I guess it is.  
28 Erny?

29  
30 MR. BEILE: My name's Erny Beile.

31  
32 CHAIRMAN EWAN: Beile, okay.

33  
34 MR. BEILE: Beile, yes. I'm here in hopes  
35 that you people can go back to the powers that be and  
36 make recommendations on changes. I've heard some of  
37 you indicate this can happen. The thing I'm a bit  
38 confused about on this rural/non-rural preference is  
39 what, you know, how do they determine or come to the  
40 conclusion that -- well, myself and people in my  
41 community live up on Bald Mountain area -- are non-  
42 rural? It's four miles back a mud road to where we  
43 live. And I'm sure if you were to gather up  
44 legislators from different states and walk them up to  
45 our community and ask them if we lived in an urban area  
46 they -- I don't think they'd agree with that. Not  
47 anybody else, you know, from any other part of the  
48 country. The other thing I've also noticed over the  
49 years is, when you drive from Homer, the Municipality  
50 of Homer and go out East End Road or anywhere where the  
51 slash marks are, they didn't change the name of the

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1 mailboxes to urban route boxes. I think they're still  
2 rural route boxes. So there isn't a whole lot that you  
3 can really call rural where I live. And I'm sure a lot  
4 of these areas where the slash marks are it's the same  
5 way. But, you know, from what I can tell is, yeah,  
6 it's a congressional agenda to do this and, I don't  
7 know, can you make, you know, recommendations and  
8 changes like this or will they listen to you or how  
9 does this work? And I've gone to the North Pacific  
10 Fishery Council over arguments there and those guys  
11 seem to -- you know, if they side with you, they can  
12 make changes.

13  
14 CHAIRMAN EWAN: Are you asking us a question?

15  
16 MR. BEILE: Yeah.

17  
18 CHAIRMAN EWAN: I think we can recommend just  
19 about anything we want to recommend. It's up to the  
20 Federal Subsistence Board, the next step up, that makes  
21 the final determination and then it goes to the  
22 Secretary of Interior.

23  
24 MR. BEILE: So this works like...

25  
26 CHAIRMAN EWAN: So we're just part of the  
27 process.

28  
29 MR. BEILE: I see. This works like talking to  
30 the advisory panel on the fishery issues, same way.  
31 Well, anyway, I think a lot of people on this Peninsula  
32 feel this whole thing's unfair. And like I said, I  
33 mean, how in the heck do you ever determine some of  
34 these people are rural, I don't know. I did find out  
35 the other day, I think it was -- I talked to Rod Kuhn.  
36 He told me this took place back in 1990, the actual  
37 drawing of these lines and boundaries. Why, I don't  
38 think anybody in this area knew it was even happening.  
39 Or the -- I should say, the research on it had started  
40 then. You would think, you know, they would, at least,  
41 ask the public about it when they started the research.  
42 I don't know what else there is to say other than I  
43 would -- I would recommend either putting slash marks  
44 across that whole peninsula or taking them completely  
45 off if you want to be fair. (Applause) That's all I  
46 have to say, thank you.

47  
48 CHAIRMAN EWAN: Thank you.

49  
50 MR. HENRICHS: Yeah, what do you do for a  
51 living?

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1  
2 MR. BEILE: Oh. I'm a commercial fisherman.  
3  
4 MR. HENRICHS: So am I.  
5  
6 CHAIRMAN EWAN: Thank you, Erny.  
7  
8 MR. BEILE: Yeah, thank you.  
9  
10 CHAIRMAN EWAN: The next person is Nadine  
11 Russo.  
12  
13 MS. RUSSO: Good evening. Thank you for  
14 having us here tonight. I'm Nadine Russo and I'm a  
15 14-year resident of Ninilchik. I'm now the assembly  
16 representative for from all the way from the Soldotna  
17 city limits down to just north of Anchor Point here. I  
18 guess I didn't go to speak when you had your hearings  
19 in Ninilchik, although you had them right next to my  
20 office there at the fair building. But I -- because I  
21 didn't think it would happen. I just thought, like a  
22 lot of people did, that it just didn't sound right at  
23 all and what's right and what the people don't want, we  
24 like to think doesn't happen, I guess. So when it did  
25 happen, my husband and I thought, what could we do to  
26 try to convince you people and the board that this  
27 isn't what a great majority of the people wanted.  
28  
29 But first, I said, I have to find out if it is  
30 the majority of the people like I think it is. Is it  
31 just my friends I'm talking to that are opposed to this  
32 or is it many of the people of Ninilchik? So I got  
33 together a petition, after I started making some phone  
34 calls and found out that it was like I thought it was.  
35 I got together -- put together a petition and started  
36 going door-to-door. I wasn't selective. I didn't go  
37 just to my friends who I thought would sign the  
38 petition. I went to Native, non-Native, old timers,  
39 new people, people that have been there, like me, just  
40 14 years. Literally door-to-door. And I found -- and  
41 I'm trying to be real accurate with this -- probably 85  
42 percent of the people that I've gone to have wanted to  
43 sign this petition. Five percent perhaps because they  
44 believe in the subsistence issue, and that was across  
45 the board, whether it was Native or non-Native, it was  
46 that they wanted the special privileges. Five percent  
47 because they didn't know of the issue, enough about it  
48 to sign the petition. And maybe five percent because  
49 they didn't feel comfortable putting their name on a  
50 piece of paper, taking a position. They would rather  
51 be quiet about it.

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1  
2 I have copies of the ones that I have  
3 collected so far. Somebody else has about 25 more that  
4 I don't have copies of, so I'd like to give you this  
5 stack of copies here. Some of the comments that were  
6 told to me -- it's a real time-consuming thing going  
7 door-to-door in an issue like this because people  
8 really want to talk about it. Generally people are  
9 really angry. Some people -- I've heard some people,  
10 not within Ninilchik, say, "People like special  
11 privileges." Wrong. The people of Ninilchik, many,  
12 many of these -- especially, I think their strongest  
13 comment was that they don't want special privileges.  
14 They don't think it's fair that we have special  
15 privileges. That there's people right in town in  
16 Anchor Point, 50 yards south of any border you can draw  
17 everywhere who deserve these privileges just as much as  
18 we do or none of us deserve them. They feel that their  
19 subsistence needs are being met. They're not having a  
20 problem. Or if they do have a problem getting the  
21 moose, then everybody should have equal the problem or  
22 equal the privilege.  
23

24 Some of the people were uncomfortable signing  
25 this because, "Well, shoot, I got a subsistence  
26 permit." And I said, "Well, that's not the issue."  
27 It's, you know, whether you believe it or not. A few  
28 of them actually told me they got -- they signed up for  
29 a permit because they were concerned in a limited entry  
30 type of thing. "If I don't sign up for it now, I might  
31 lose it on down the road and I don't want to do that.  
32 I'm scared for my family. I want to meet my family's  
33 needs like I always have. And if that's going to be  
34 the only way to do it in the future, I want to be in on  
35 the beginning of it so that I'm not turned down later."  
36 It's caused tremendous dissension in the community.  
37 Unfortunately, it's become a Native/non-Native issue,  
38 although that's not what it was intended to be. And  
39 Natives are clumped like, in so many other situations  
40 races are clumped. And that's, I know, not the intent  
41 from the federal government or from you people or the  
42 board, but it's what's happening. And so, I hope that  
43 you will make the recommendation to change this.  
44

45 Some of the people do feel that Nanwalek, Port  
46 Graham, Seldovia, do deserve the rights because they're  
47 way off the roads. That was about the only people that  
48 some thought should have the privilege but many of them  
49 thought not even those should. If I'm -- I'd like to  
50 be finished with my comments for there, but I would  
51 like to read a letter.

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1  
2 In my pursuit to find consensus on this, I  
3 guess, I contacted the Ninilchik Native Association.  
4 I've spoken to Bill Prosser a couple of times and he  
5 wanted to share his -- this letter. I told him I would  
6 be reading it tonight and that was fine with him. I  
7 have copies of the letter for you people here tonight  
8 too. And so, if I can read it. And it's dated  
9 September 26, '95 to Nadine Russo.

10  
11 "Dear Nadine, Thank you for your call  
12 regarding Ninilchik Native Association, Inc.'s position  
13 on the recent special subsistence hunt on federal  
14 lands. As you are aware, the community does not  
15 distinguish between Ninilchik Native Association and  
16 Ninilchik Traditional Council. The result of this hunt  
17 and the related ill-will has been very detrimental to  
18 Ninilchik Native Association's ability to conduct  
19 business in a normal fashion. Ninilchik Native  
20 Association's main objective is to be a positive force  
21 in the Kenai Peninsula concurrent with the corporate  
22 goals of (1) being good stewards of our land, (2)  
23 generating earnings for benefits of our shareholders.  
24

25 "Besides the public relations damage,  
26 Ninilchik Native Association also oppose the special  
27 hunt for an additional reason. Ninilchik Native  
28 Association has adequate land for its shareholders to  
29 hunt during the regular season. These lands are  
30 relatively close to the village in areas traditionally  
31 hunted for moose. All other hunters are excluded from  
32 these areas and the probability for success has been  
33 relatively high among our shareholder hunters. Many  
34 Ninilchik Traditional Council members are also  
35 Ninilchik Native Association shareholders. So there's  
36 no reason why subsistence needs of these people cannot  
37 be satisfied on Ninilchik Native Association lands.  
38

39 "As I have explained over the phone to you,  
40 the bulk of Ninilchik Native Association lands are  
41 under active logging. No hunting can safely be allowed  
42 in these areas, therefore all hunting by our  
43 shareholders or anyone else is forbidden. At this  
44 time, Ninilchik Native Association only has a few  
45 sections available to it for hunting, therefore the  
46 hunting is restricted to our shareholders and their  
47 immediate family. As the logging is completed on  
48 larger tracts, this policy will be reviewed. And if,  
49 after satisfying shareholder's needs, land is available  
50 for hunting to the public, Ninilchik Native Association  
51 will likely issue permits on a broader scale.

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1  
2 "Nadine, I hope this letter will clarify  
3 Ninilchik Native Association's position on a difficult  
4 subject. If I can answer additional questions, please  
5 call. Sincerely, William Prosser. President." If you  
6 have any questions for me I'd be happy to answer.  
7

8 CHAIRMAN EWAN: I have a question.  
9

10 MS. RUSSO: Yeah.  
11

12 CHAIRMAN EWAN: What does the petition say?  
13

14 MS. RUSSO: I'm sorry?  
15

16 CHAIRMAN EWAN: Was it just on the...  
17

18 MS. RUSSO: Thank you.  
19

20 CHAIRMAN EWAN: ...special hunt. Is that all  
21 it addressed?  
22

23 MS. RUSSO: "A petition of the Federal  
24 Subsistence Board. We, the residents of Ninilchik, do  
25 not believe that a subsistence priority has a place on  
26 the road-connected Kenai Peninsula. In the interest of  
27 fairness and peaceful co-existence, we hereby request  
28 that our community be treated the same as neighboring  
29 road-connected Peninsula communities."  
30

31 If I might add, some of these signatures on  
32 here you'll find are Anchor Point. I -- probably a lot  
33 of those Anchor Point ones -- they're just -- that's  
34 their post office box but they're still within the  
35 area. Some of them, perhaps, aren't. There's some  
36 Anchorage ones in here, some Homer. This petition has  
37 been at the gas station and I'm sure the gas station  
38 owners don't want to offend the people who want to sign  
39 it who have strong feelings about it. So some of these  
40 are not Ninilchik residents, although some of the ones  
41 who sign it from outside the area do have places in  
42 Ninilchik so they feel that it's appropriate that they  
43 can also address it. I don't know on each one of the  
44 individual ones. But most of them are Ninilchik.  
45

46 CHAIRMAN EWAN: Gary?  
47

48 MR. OSKOLKOFF: Could I ask two questions?  
49

50 MS. RUSSO: Uh-huh (affirmative).  
51

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1 MR. OSKOLKOFF: The letter from William  
2 Prosser...

3  
4 MS. RUSSO: Uh-huh (affirmative).

5  
6 MR. OSKOLKOFF: Is that on letterhead?

7  
8 MS. RUSSO: Yes, it is.

9  
10 MR. OSKOLKOFF: Would you give us the address?

11  
12 MS. RUSSO: There's not a -- oh, it's down at  
13 the bottom. 703 West Tudor, Suite 101, Anchorage.

14  
15 MR. OSKOLKOFF: Thank you.

16  
17 MS. RUSSO: Uh-huh (affirmative).

18  
19 MR. HENRICHS: Yeah, since you brought it up.  
20 Ninilchik Native Association, I believe, it's a  
21 village corporation created by ANCSA. And the  
22 Ninilchik Traditional Council is the tribe in  
23 Ninilchik. I'd like to know how many of the  
24 shareholders in the Ninilchik Native Association live  
25 in that area and how many don't. And I'd like to know  
26 how many of the -- in the Traditional Council tribe are  
27 shareholders and how many are not?

28  
29 MS. RUSSO: Maybe Gary can answer that better  
30 than me. I don't know. I know Bill did tell me the  
31 answer to the first question you asked, how many live  
32 in Ninilchik, but I didn't write down the figure. I'm  
33 sorry.

34  
35 MR. OSKOLKOFF: Our -- Mr. Chairman, our  
36 executive director is here today and I believe she was  
37 going to comment. She might have more precise figures  
38 than I would.

39  
40 CHAIRMAN EWAN: Are there any other questions?

41  
42 MR. HENRICHS: Yeah, I got one more. And  
43 before I ask it, I don't understand why people are  
44 getting upset when I ask them what they do for a living  
45 because it gives us a better idea...

46  
47 MS. RUSSO: That's fine.

48  
49 MR. HENRICHS: ...of what's going on. And I'm  
50 not doing it to...  
51

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1 MS. RUSSO: It's -- I think it shows...  
2

3 MR. HENRICHS: ...irritate people. I just  
4 want to know.  
5

6 MS. RUSSO: I think -- I think answering it  
7 shows a diverse -- that we're probably a diverse group  
8 here that's testifying. I'm, like I said, the assembly  
9 member, the assembly representative on the Kenai  
10 Peninsula Borough and I'm also the manager at the Kenai  
11 Peninsula Fair as a part-time job.  
12

13 CHAIRMAN EWAN: Lee.  
14

15 MR. BASNAR: Yes, I'm a little uncertain as to  
16 the ability of people to hunt on these Native lands in  
17 Ninilchik. I'm confused on that since I'm not from the  
18 local area. As I understand it right now, no Natives  
19 or non-Natives can hunt on this particular land you're  
20 talking about?  
21

22 MS. RUSSO: What Bill explained to me is that  
23 they have about a hundred -- I don't think he called  
24 them parcels, maybe sections -- that are being actively  
25 logged right now.  
26

27 MR. BASNAR: Right.  
28

29 MS. RUSSO: They have five that have been --  
30 they have finished logging a while back. Those are the  
31 five that they've already opened up to their share-  
32 holders or stockholders, I'm sorry, I don't know the  
33 word. Shareholders. They have -- those five areas  
34 they have opened up. And because of the safety, as he  
35 said in here, they will open more of those 100 areas to  
36 their shareholders as it becomes available. And then  
37 he said, perhaps on a permit basis, open to the public  
38 after that. They -- they do send -- they do have  
39 security on their property because they feel they have  
40 acquired this property, it is private land and they  
41 want to establish that for their shareholders.  
42

43 MR. BASNAR: Okay. Is this land moose  
44 country? Does it produce moose?  
45

46 MS. RUSSO: It is an area that is very  
47 commonly hunted by the people in our area, yes.  
48

49 MR. BASNAR: Okay, and having been logged, it  
50 certainly should produce more moose sometime down the  
51 road. Then and these are Ninilchik Native people

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1 primarily that can hunt on this land when it's allowed  
2 to hunt?

3  
4 MS. RUSSO: Right now, they opened it up for  
5 Ninilchik Native Association shareholders. I know that  
6 if there were some people that don't hunt here because  
7 some of them live Outside or live elsewhere or unable  
8 to hunt and you could apply to hunt by proxy on one of  
9 their permits. Applications were accepted on that.

10  
11 MR. BASNAR: If a shareholder lived in  
12 Anchorage...

13  
14 MS. RUSSO: Uh-huh (affirmative).

15  
16 MR. BASNAR: ...could he hunt on this land?

17  
18 MS. RUSSO: I assume so, but I'm not positive.

19  
20 MR. OSKOLKOFF: Yes.

21  
22 MS. RUSSO: Thank you.

23  
24 MR. BASNAR: Thank you.

25  
26 CHAIRMAN EWAN: Any other questions? All  
27 right. Thank you then. The next person is...

28  
29  
30 UNIDENTIFIED: Can we have them open some  
31 windows here? It's so hot in here.

32  
33 CHAIRMAN EWAN: Are all the windows open here?  
34 (Laughter) Everybody's starting to sweat pretty hard  
35 here. Elaina Spraker is the next person to speak.

36  
37 MS. SPRAKER: Mr. Chairman, council members.  
38 Thank you for coming to the Kenai Peninsula. I'm  
39 Elaina Spraker, speaking for the Kenai Peninsula  
40 Outdoor Coalition. This group was formed last spring.  
41 It represents the Kenai chapters of the Alaskan Bow  
42 Hunters Association, Safari Club International, Caribou  
43 Hills Cabin Hoppers Association, Kenai Trappers  
44 Association, Kenai River Guides Association and the  
45 United Cook Inlet Drift Association as well as many  
46 individual members and organizations. These  
47 organizations represent very diverse interests but they  
48 stand united on the issue of subsistence on the Kenai  
49 Peninsula. Coalition members don't believe a rural  
50 subsistence priority belongs on the Kenai Peninsula,  
51 ~~except in the remote villages of Nanwalek and Port~~

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SOUTHCENTRAL SUBSISTENCE REGIONAL ADVISORY COUNCIL  
SEPTEMBER 27, 1995 PUBLIC MEETING - VOLUME 1

1 Graham.

2  
3 We firmly believe that Congress never intended  
4 for a subsistence priority to apply to the Kenai  
5 Peninsula. In 1980, when ANILCA became law, wild  
6 resources were already fully allocated to other uses.  
7 A subsistence priority on the road-connected Peninsula  
8 is not only absurd, it is extremely divisive. In the  
9 short time the priority has been in effect, it has  
10 caused deep resentment, setting people against one  
11 another as nothing has done before. It has affected  
12 the well-being of all of us. It's a social tragedy  
13 that will only worsen with the passage of time. The  
14 solution to the problem isn't to stir up more  
15 divisiveness by creating even more haves and have-nots  
16 that already exist.

17  
18 The solution lies in amending Title 8 of  
19 ANILCA as well as state law by adding a definition of  
20 rural that is more narrow than the one that is now in  
21 use. The council can't amend ANILCA but it can do  
22 three things. It can, number one, advise the Federal  
23 Subsistence Board that the present definition of rural  
24 does not fit on the Kenai Peninsula and that rules  
25 should apply to only Nanwalek and Port Graham. Two,  
26 remove all existing customary and traditional use  
27 findings for Ninilchik and Seldovia and table  
28 consideration of further customary and traditional use  
29 proposals for the Kenai Peninsula. At public meetings  
30 in June of this year, residents of both rural and non-  
31 rural communities, with the exception of Seldovia and  
32 Port Graham, strongly stated their opposition to  
33 customary and traditional use proposals. Proposing new  
34 customary and traditional use findings for the Kenai  
35 rural area and Homer rural area will only worsen the  
36 existing divisive situation. Three, if you decide to  
37 consider additional customary and traditional use  
38 findings for anywhere on the Kenai Peninsula, use the  
39 most strict approach as suggested by Policy Alternative  
40 C in the Kenai Peninsula Customary and Traditional Use  
41 Determination Report of January 19th, '94.

42  
43 With the issue of a rural subsistence priority  
44 being so divisive on the Peninsula and even in  
45 Ninilchik, much more substantial evidence should be  
46 required to establish customary and traditional use  
47 than that was used by the council in its February 1994  
48 meeting. The communities of the Kenai Peninsula are a  
49 people of consumptive users. They hunt; they fish,  
50 depend on the resource socially and economically. Many  
51 Native and non Native residents share the resource with

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1 friends and family, passing on customs and traditions  
 2 characterized by the area. The residents of the Kenai  
 3 Peninsula are one community, one borough. With the  
 4 exception of Port Graham and Nanwalek, no one community  
 5 differs in these characteristics.

6  
 7 In closing, I want to make it clear that our  
 8 group is not opposed to subsistence. We object to how  
 9 rural is being applied to the Kenai Peninsula. As a  
 10 coalition of consumptive users, we fully appreciate the  
 11 value of subsistence and of a subsistence priority as  
 12 it applies during times of scarce fish and game and in  
 13 remote parts of Alaska, when and where it was meant to  
 14 apply.

15  
 16 Thank you for coming to the Kenai Peninsula  
 17 and listening to how we feel about these issues. And  
 18 as far as my occupation goes, I run a self-employed  
 19 business called The Mommy, Inc. My clients are 5, 7,  
 20 16, and a 46 year-old.

21  
 22 CHAIRMAN EWAN: Okay, thank you, Elaina. Are  
 23 there any questions? Lee.

24  
 25 MR. BASNAR: Yes, Elaina, you indicated that  
 26 your group would be in favor of a subsistence  
 27 preference in times of hardship or -- I forget your  
 28 exact term. Can you be a little more specific on how  
 29 you would apply that to the Kenai Peninsula? That's a  
 30 tough question, I know.

31  
 32 MS. SPRAKER: I think what I -- not I think.  
 33 Let me respond. By that statement, was meant the  
 34 coalition doesn't feel that ANILCA, the intent -- the  
 35 whole intent of what Congress meant ANILCA, how and  
 36 when it was supposed to apply. It's been left so open  
 37 to interpretation. From what I understand of ANILCA,  
 38 it was supposed to apply during scarcity of fish and  
 39 game along with other criteria. Did I answer it or did  
 40 I dance around it?

41  
 42 MR. BASNAR: No, you didn't answer it. In  
 43 terms of scarcity on the Kenai Peninsula, do you have a  
 44 recommendation -- does your group have a recommendation  
 45 that this council should take under advisement? I  
 46 mean, who should get the preference and who should not?  
 47 Maybe that's the simplest way I can put it.

48  
 49 UNIDENTIFIED: No one. No one. The animals  
 50 should get the preference. There's your answer.

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1 MS. SPRAKER: I think the best that I can  
2 answer it and I think the community is definitely  
3 backing me up here is that we want to be treated as  
4 equals.

5  
6 MR. BASNAR: Okay, thank you.

7  
8 CHAIRMAN EWAN: Any other questions?

9  
10 MS. SPRAKER: Can I -- I have one -- the  
11 coalition has -- wants to submit a proposal. I don't  
12 know if it's appropriate at this time to do that.

13  
14 CHAIRMAN EWAN: Let me ask our staff here.  
15 Taylor, is it proper here or at another time?

16  
17 MR. BRELSFORD: Well, there's no problem in  
18 submitting it as part of the testimony.

19  
20 CHAIRMAN EWAN: All right.

21  
22 MS. SPRAKER: Okay. Because you're accepting  
23 proposals, right? During the...

24  
25 MR. BRELSFORD: That's right.

26  
27 MS. SPRAKER: Okay.

28  
29 MR. BRELSFORD: ...through October 27th, it's  
30 an open public process...

31  
32 MS. SPRAKER: Okay.

33  
34 MR. BRELSFORD: ...so of course, it will be  
35 submitted.

36  
37 MS. SPRAKER: And I have...

38  
39 CHAIRMAN EWAN: Yeah, did you want to speak on  
40 that proposal in case we have questions and you won't  
41 be here when we're considering it?

42  
43 MS. SPRAKER: I'll be here Friday. Are you  
44 going to be -- when are you going to be considering the  
45 proposal because I forgot too. I don't know when the  
46 -- when you have it on the agenda. And if I'm not,  
47 another board of director will be here. But I will be  
48 here Friday, for sure.

49  
50 CHAIRMAN EWAN: It'll be -- I guess. Is it  
51 Friday?

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1  
2 MR. BRELSFORD: Is that regarding C&T  
3 determination or...

4  
5 MS. SPRAKER: Right.

6  
7 MR. BRELSFORD: ...seasons and bag limits?

8  
9 MS. SPRAKER: It's C&T determination.

10  
11 MR. BRELSFORD: The principal discussion will  
12 be tomorrow...

13  
14 MS. SPRAKER: Okay.

15  
16 MR. BRELSFORD: ...but there's no problem in  
17 taking it up now and offering your testimony.

18  
19 MS. SPRAKER: Okay. I have a copy for  
20 everybody so you don't have to run to a copy machine.

21  
22 MR. BRELSFORD: Mr. Chairman?

23  
24 CHAIRMAN EWAN: Yes.

25  
26 MR. BRELSFORD: C&T proposals would be part of  
27 this block of time tomorrow. Seasons and bag limit  
28 proposals are listed as an agenda item on Friday  
29 morning at 10:15. It's on the last page of the agenda.

30  
31 CHAIRMAN EWAN: All right, so, it will be  
32 considered Friday morning.

33  
34 MS. SPRAKER: Yeah, I'll be here Friday  
35 morning.

36  
37 CHAIRMAN EWAN: Okay, we're going to take a  
38 short break here. Before that, I would like to make a  
39 comment. I know that, gee, I sit up here and I'm quiet  
40 while everybody's speaking. Maybe you're wondering  
41 what I'm thinking as people speak. I think Ralph over  
42 here pretty much explained our position when we got  
43 appointed to this council. We didn't have anything to  
44 do with the rural/non-rural of any of the communities.  
45 We didn't draw no lines. We went through the process  
46 of determining traditional and customary use of each  
47 community and of each specie of those communities that  
48 we considered.

49  
50 What I think this council did was very  
51 accurately described by Mr. Lohse here when he said  
~~that we were very liberal. We didn't want to leave out~~

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1 anybody. We didn't know the people. I didn't know the  
2 Kenai people. I don't know what goes on down here. If  
3 Gary, the person from Kenai, and Ben and others that  
4 know the Kenai Peninsula recommend something, I tended  
5 to go along with it. So that -- that is the, I guess  
6 the process that we went through that I guess you don't  
7 like in some respect.

8  
9 I just wanted to say that it's too bad that  
10 subsistence divides people but I'm from a rural area.  
11 My ancestors hunted for years and years and years and I  
12 don't want to change. I don't want to change my diet.

13 I don't want to change my ways, even though I'm  
14 working, doing something different than I used to do.  
15 It's just something that's ingrained in your whole  
16 system. I would like to eat moose over beef any day.

17  
18 UNIDENTIFIED: Amen. We all do.

19  
20 CHAIRMAN EWAN: So I'm looking out for people  
21 that may be affected elsewhere. I'm going to cut off  
22 everybody just, bang, like that? I think it's got to  
23 be a slow process and it's got to be -- it's going to  
24 take time and we're doing it now. That's my comment to  
25 you. Yes?

26  
27 MR. CHRISTENSEN: I would like to ask a  
28 question because we all understand that the repre-  
29 sentatives here, the one that is closest to us in  
30 representation is also the one that's fighting the  
31 hardest to preclude those of us down here. And so, my  
32 question is, what is the ability of the council to have  
33 a fair and just recommendation to go back to the board  
34 that's going to represent what you're hearing here?

35  
36 CHAIRMAN EWAN: Well, we record everything and  
37 we read the minutes.

38  
39 MR. CHRISTENSEN: I know you record stuff but  
40 you're the guys that are going to sit around somewhere  
41 behind closed doors and you're going to sit there and  
42 talk back and forth. You guys don't know the area but  
43 there's a couple of guys down here that you're going to  
44 take recommendations -- you just said you did that.  
45 You just said that you listened to the two guys that  
46 came from here.

47  
48 CHAIRMAN EWAN: For your information, our  
49 meetings are all public. Very public.

50  
51 ~~MR. CHRISTENSEN: Right. When you go back to~~

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1 the board, is that public?

2  
3 CHAIRMAN EWAN: That's public too, yeah.

4  
5 MR. CHRISTENSEN: Okay. So what's your  
6 recommendation going to be. Is it going to be -- are  
7 you going to have the ability to have an unbiased  
8 opinion on this?

9  
10 CHAIRMAN EWAN: Go ahead, Lee.

11  
12 MR. BASNAR: Mr. Chairman, if I may respond  
13 very briefly and it's not our intent to get into, you  
14 know, arguments or opposing points of view here. But I  
15 appreciate your comments, but initially when we met, it  
16 was a public meeting. We met on fairly short notice.  
17 We didn't have the public input that we're getting here  
18 tonight. We did the best we could based on input from  
19 the people who are closest to the problems. And we  
20 work very hard. Now, did we make mistakes? Of course.  
21 Everybody makes mistakes. Since I'm not a politician  
22 I can admit to making a mistake, okay?

23  
24 MR. CHRISTENSEN: Not a problem.

25  
26 MR. BASNAR: But now, we're meeting down here  
27 on purpose. We came down here. We had not met down  
28 here before and I sure understand and sympathize with  
29 you folks who have attended several different meetings  
30 and think you've talked to us before. You haven't.  
31 The only meeting we had on the Kenai Peninsula was in  
32 Soldotna and two people from the public showed up.  
33 This was about a year ago -- a year and a half ago.  
34 Something like that.

35  
36 MR. LOHSE: A year ago exactly.

37  
38 MR. BASNAR: But then, finally, the word got  
39 out -- I see your hand in the rear -- the word got out  
40 to what was actually happening. We started getting  
41 input. The more input we got, the more we realized we  
42 need to come down to find out from the people what's  
43 happening. I don't know how anybody else is going to  
44 vote on this council, but I know that your input has  
45 tremendous impact upon me. And I, again, can't speak  
46 for the other members. But that's why we're here. We  
47 are the people -- part of the bureaucracy -- I suppose  
48 we are, we're appointed by a federal agency, so I guess  
49 that makes us guilty. And we're the closest to you  
50 folks. So if you tell us what you want and we flat  
51 totally ignore it, you've got every right to be angry.

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1 Give us a chance now that we're here. The system is  
2 new. We're working hard to grasp all of these new  
3 concepts.

4  
5 MR. CHRISTENSEN: I appreciate that, what  
6 you're saying and I got one suggestion. Any further  
7 meetings you have down here, have them in the winter.  
8 In the summer, we're busy.

9  
10 CHAIRMAN EWAN: Okay, with that I'd -- Ralph,  
11 your last comment. We want to take a break after that.

12  
13 MS. RENEE MARTIN: I have a question.

14  
15 MR. LOHSE: Yeah, I'd like to make a comment  
16 on that too. You're not the only ones that are busy.  
17 I skipped two fishing periods this week to be here,  
18 that my family could use very much, just to listen to  
19 you. I mean, we're all -- basically, we're all rural  
20 people too. I mean, we're all people who make a living  
21 doing the same kind of stuff that you do. We're not --  
22 like he said -- we're not politicians. I mean, we're  
23 fishermen; we work at woodworking; we do all kinds of  
24 things like that. We're trying to deal with the deck  
25 of cards that were given and that's all we can do.

26  
27 MS. RENEE MARTIN: I have two questions,  
28 please. Number one, okay, without using customary,  
29 traditional, rural or urban, define customary and  
30 traditional so that we can understand it. Number two,  
31 if it was the feds, whether the ones that are occupying  
32 the state of Alaska or the ones back East, were the  
33 ones that defined rural, you, as Alaskan citizens  
34 should have questioned it and why did you not question  
35 the differences between rural and non-rural?

36  
37 CHAIRMAN EWAN: Go ahead, Ralph.

38  
39 MR. LOHSE: You should have questioned it.  
40 You and your politicians should have questioned it.

41  
42 MS. RENEE MARTIN: You didn't make a public  
43 meeting out of this!

44  
45 MR. LOHSE: We didn't have anything to do with  
46 rural or non-rural. We didn't have a chance to  
47 question it. We weren't even in existence when rural  
48 and non-rural was defined.

49  
50 MS. RENEE MARTIN: No, I understand that.  
51 ~~What I'm saying is when you formed as a board, why~~

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1 didn't you question it then? I'm not saying when they  
 2 made the rules up because, you know, we didn't know.  
 3 You didn't know!

4  
 5 MR. LOHSE: You knew as much as we did.

6  
 7 MS. RENEE MARTIN: I say -- I understand that.  
 8 But you as a board when you were formed, and you were  
 9 given your mandate or your rules or whatever, why  
 10 didn't you question it at that time? The difference  
 11 between rural and non-rural? Why didn't you question  
 12 it -- question then because you're the ones who have  
 13 the power to do that! You're able to give these feds  
 14 and say "Hey, why did you do it this way?"

15  
 16 CHAIRMAN EWAN: Okay, let's -- if you're going  
 17 to speak, let's sign up and do it the proper way, okay?  
 18 Not just jump up. Without insults. Ralph, do have a  
 19 point -- a final comment?

20  
 21 MR. OSKOLKOFF: Let's take a break.

22  
 23 MR. BASNAR: Let's take a break.

24  
 25 CHAIRMAN EWAN: All right, if not...

26  
 27 MR. LOHSE: I won't make the comment.

28  
 29 CHAIRMAN EWAN: ...we'll have a five-minute  
 30 break.

31  
 32 (Off record - 8:37 p.m.)

33 (On record - 8:52 p.m.)

34  
 35 CHAIRMAN EWAN: If everybody will sit down,  
 36 we'll start the meeting back up. Okay, before we start  
 37 the public testimony again, I want to ask, okay, Robert  
 38 Willis, you're to make a comment and after that Taylor  
 39 Brelsford to maybe give a definition of C&T because  
 40 somebody asked that question. And then also, Taylor, I  
 41 want you to go over the process for the audience again  
 42 one more time.

43  
 44 MR. WILLIS: Thank you, Roy. Just for the  
 45 benefit of those who were not at the July meeting of  
 46 the board up in Anchorage. In fact, it's apparently  
 47 not well known is that because of all the testimony at  
 48 the meetings that were held down here on the Peninsula  
 49 in June and at the Anchorage meeting, the board has  
 50 stated its intent to take another look at the rural/  
 51 non rural designations on the Kenai and has, in fact,

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1 instructed the staff committee, which serves the board,  
2 to do that. And they've made a start on that. They  
3 haven't done much yet because of the crush of other  
4 business. But that is being reevaluated by the board  
5 at this time. And that's all I can tell you about it  
6 except that they did heed the input from the public  
7 meetings and are taking another look at those  
8 designations.

9  
10 CHAIRMAN EWAN: Thank you, Robert. Taylor,  
11 whichever you want to take first. The customary and  
12 traditional use definition, and then a little bit about  
13 the process later this evening and tomorrow morning.

14  
15 MR. BRELSFORD: Thank you, Mr. Chairman. For  
16 the benefit of the question from the public regarding  
17 the definitions of rural and non-rural and customary  
18 and traditional uses, the federal regulations do  
19 establish criteria for both of those terms. In the  
20 case of the customary and traditional term, there are  
21 eight factors that are established in the regulations.  
22 Those are the items that this council and the Federal  
23 Subsistence Board has considered at each step. It  
24 developed a considerable bit of background information  
25 organized in terms of the eight criteria -- the eight  
26 factors in those regulations.

27  
28 In the regulations book -- the federal regs  
29 book -- of which there are copies in the back. About  
30 -- it's actually on Page 9, there's a paragraph  
31 referring to customary and traditional uses that lists  
32 three of those criteria. It's a narrative paragraph,  
33 not laid out with all eight of them. But generally  
34 speaking, the first of them is a long-term consistent  
35 use of resources. Others refer to traditional  
36 practices in preservation of food, in sharing of  
37 resources and in reliance on a wide diversity of  
38 species. So the eight specifics, I actually have them  
39 here if you'd like to go into any more detail. But I  
40 think the key point is that the terms do have criteria,  
41 and in that respect, points of information that both  
42 the council and the federal board have to consider in  
43 reaching those determinations.

44  
45 CHAIRMAN EWAN: Did you want Rod to explain  
46 the other question or...

47  
48 MR. BRELSFORD: Let's see. If Rod is here, I  
49 think -- Rod, maybe you could add a word regarding the  
50 criteria involved in the rural determinations?  
51

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1 MR. KUHN: Okay, again, the rural deter-  
2 mination is part of the existing regulations that were  
3 developed and finalized in 1992. Back in '91 and '92  
4 there were meetings that they held dealing specifically  
5 with rural/non-rural. And of course, there wasn't a  
6 whole lot of interest like there is now. I mean, it  
7 wasn't the same degree, at all, the public's input.  
8 But the rural process deals with -- first off, whether  
9 communities are integrated economically and socially.  
10 So the board first looks at groupings of communities,  
11 not just individual communities. They wouldn't look at  
12 Anchor Point, for example, as an entity by itself if it  
13 grouped with some other community nearby, such as  
14 Homer.

15  
16 And so they group them and then they apply a  
17 set of criteria to those and those dealt with the use  
18 of fish and wildlife, the development and diversity of  
19 the economy, the infrastructure in the community,  
20 transportation, educational institutes. Those are the  
21 things that were looked at. And then they -- the  
22 board, in, I think, in January '91, produced the first  
23 listing of rural/non-rural and that hasn't really  
24 changed -- hasn't changed since then. That is not cast  
25 in concrete. It can be changed by -- I guess,  
26 recommendations from this group could influence that.  
27 But the board does have the authority to change the  
28 rural determinations.

29  
30 MR. CHRISTENSEN: A couple of questions here.  
31 One of the reasons that in 1992 you didn't have any  
32 public input from down here or that much interest is  
33 because we down here associate the federal government's  
34 trying to protect everybody and not just a few special  
35 agencies (ph). And as far the -- what grouping here,  
36 for example, so let's just bring it down here to  
37 Ninilchik versus Anchor Point, what sort of criteria --  
38 now you're talking about economic diversity here.  
39 Everybody down here on the Peninsula shops in the  
40 Soldotna/Kenai hub. We drive from here up there, which  
41 puts Ninilchik closer to the hub of shopping centers  
42 than it does Anchor Point. So I'm just wondering what  
43 kind of criteria you used on that?

44  
45 MR. KUHN: What they did is they talked to  
46 various community leaders, borough planning people and  
47 asked them where the cut-off that they used at that  
48 point -- it wasn't a rigid cut-off but they said if  
49 greater than 15 percent of the community commute to a  
50 larger center like Homer or in Soldotna on a daily  
51 basis. Greater than 15 percent on a daily basis.

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1  
2 CHAIRMAN EWAN: All right. We've got to move  
3 along. We got a couple more speakers here. Shirley --  
4 is it Schollenberg?

5  
6 MS. SCHOLLENBERG: Thanks for the opportunity  
7 to comment. I may not have much new to offer. My name  
8 is Shirley Schollenberg. We commercial fish for a  
9 living. We also farm. We make our living from the  
10 land. I have lived in the Ninilchik area for 36 years.  
11 I attended school there and have been a very active  
12 part of the community. My family and I have hunted  
13 moose and other game since we moved here in 1959.  
14 We've always valued the privilege of being able to fill  
15 the freezer and feed our families from the game around  
16 the area.

17  
18 I'm adamantly opposed to the subsistence  
19 priority for the Ninilchik area or any area that is on  
20 the Kenai Peninsula road system. We have neighbors  
21 about a mile from where we live, since we live on the  
22 south boundary of the rural designated area for  
23 Ninilchik. They've been here a lot longer than we  
24 have. They have larger families than we have. But  
25 unfortunately due to where they live, they can't hunt.  
26 It seems to me that those of us that do live in the  
27 area that can hunt during the subsistence designated  
28 time pits us against our neighbors. They have families  
29 to feed, just like we do. The game belongs to all of  
30 us equally. We all have the same opportunity to work,  
31 earn money, and go to the supermarket to buy our meat.  
32 It isn't anymore of a hardship for someone in  
33 Ninilchik to go to a grocery store than it is for  
34 someone from Anchor Point.

35  
36 This cause seems to be driven by a very small  
37 minority of people from Ninilchik that are trying to  
38 speak for us all. I've been concerned about this issue  
39 and have spent a lot of time talking to my neighbors  
40 and have yet to find someone that thinks the  
41 subsistence idea is necessary or needed. Thank you.  
42 Are there any questions?

43  
44 CHAIRMAN EWAN: Ralph.

45  
46 MR. LOHSE: Can I ask Shirley a question?  
47 Shirley, the question that I've got, I voted for  
48 subsistence in Unit 13 because I really do believe that  
49 rural local people should have first access to the game  
50 in their area. What I get from the Kenai is I get --  
51 I've heard it should either be all rural or should all

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1 be non-rural and that a lot of people are opposed to  
 2 having a subsistence priority. But now, how does the  
 3 Kenai feel about having a subsistence priority over  
 4 Anchorage, for example? In other words, do the rural  
 5 residents or the residents of the Kenai Peninsula feel  
 6 that Anchorage should have as much access to their game  
 7 on the Kenai Peninsula as people from the Kenai  
 8 Peninsula? I mean, would you -- when you say that  
 9 there should be no priority, does that include people  
 10 from other places too?

11  
 12 MS. SCHOLLENBERG: I believe it does. I  
 13 believe that all Alaskans, just like I stated in my  
 14 notes here, the game belongs to all of us equally.

15  
 16 UNIDENTIFIED: Yes.

17  
 18 UNIDENTIFIED: Yes.

19  
 20 (Applause)

21  
 22 MS. SCHOLLENBERG: Any more questions?

23  
 24 CHAIRMAN EWAN: I have a question. Even if it  
 25 really, I don't know, harms an individual, you know,  
 26 mentally. A person that grew up like I grew up in a  
 27 subsistence lifestyle. That person is just tossed  
 28 aside, right? Under your proposal?

29  
 30 MS. SCHOLLENBERG: I'll just share a little  
 31 bit of something that, kind of, hit home with me. It  
 32 was during the oil spill. And we live on the bluff and  
 33 get quite a bit of our fish from right below where we  
 34 live. And all of a sudden, it was recommended that we  
 35 couldn't clam dig. Well, I wasn't going to starve to  
 36 death. But that really brought home to me the fact  
 37 that, what if I couldn't moose hunt? Or what if I  
 38 couldn't go out and pick some dungy crab pots or  
 39 whatever? So I really -- I really think that the game  
 40 and the fish that Alaska has to offer is important to  
 41 Alaskans. And if it requires all of us cutting back a  
 42 little bit so we can all share it, then that's what's  
 43 necessary.

44  
 45 CHAIRMAN EWAN: Thank you. Any questions?  
 46 Ralph, did you...

47  
 48 MR. LOHSE: No.

49  
 50 CHAIRMAN EWAN: Okay, thank you, Shirley. The  
 51 next person is Jack Arnold. Is it Arnold?

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 SEPTEMBER 27, 1995 PUBLIC MEETING - VOLUME 1

1  
2 MR. ARNOLD: Yeah, I just wanted to say that I  
3 really don't believe in the subsistence at all. How do  
4 I say it. I live in Nuka Bay -- Nuka Passage which  
5 is...

6  
7 MR. BASNAR: Where's that?

8  
9 MR. ARNOLD: Yeah, that's what I'm trying to  
10 get to. You go to English Bay. Port Graham, is one-  
11 third of the distance by boat to where I live. It's  
12 all the way around the point. Right.

13  
14 MR. CHRISTENSEN: That would be classified as  
15 rural.

16  
17 MR. ARNOLD: And I would be classified as  
18 rural. I mean, how do you define it to where, you  
19 know, living that far away and I'm still rural? Don't  
20 the game, the fish, the moose, everything belong to all  
21 of the people? I would hate to have -- and it happens  
22 that if we, the people, own all the game, we own the  
23 fish, we own the moose, why is anybody more entitled to  
24 anything more than another person? I choose to live in  
25 Nuka Passage. People in Port Graham choose to live in  
26 Port Graham. People in Nanwalek or English Bay choose  
27 to live there. Why do they have any preference over  
28 any other Alaskans? I've been here about, oh, 30  
29 years. I was a heavy equipment operator by trade.  
30 I've been all over the state. I got injured, so I  
31 can't work at that trade anymore. And so now I've  
32 become a taxidermist and I do my taxidermy work here --  
33 and -- halfway between here and Homer. So, try to tell  
34 me why I'm a rural over there?

35  
36 CHAIRMAN EWAN: I don't think anybody can --  
37 we already spoke about that.

38  
39 MR. ARNOLD: Right.

40  
41 CHAIRMAN EWAN: It was determined before we...

42  
43 MR. ARNOLD: Right.

44  
45 CHAIRMAN EWAN: ...you know, before we even  
46 came into existence.

47  
48 MR. ARNOLD: Well, can it be changed? I mean,  
49 now...

50  
51 ~~CHAIRMAN EWAN: Could you tell me exactly~~

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SOUTHCENTRAL SUBSISTENCE REGIONAL ADVISORY COUNCIL  
SEPTEMBER 27, 1995 PUBLIC MEETING - VOLUME 1

1 where you're talking about? Where you're living? Or  
2 show me.  
3  
4 MR. BRELSFORD: He could point at -- or  
5 actually that map might be a little bit better. It's  
6 not marked up.  
7  
8 MR. ARNOLD: Right in here (indicating).  
9  
10 MR. BRELSFORD: Yes.  
11  
12 CHAIRMAN EWAN: Okay.  
13  
14 MR. ARNOLD: It's...  
15  
16 MR. BASNAR: You live out there on purpose?  
17  
18 MR. LOHSE: Around the corner.  
19  
20 MR. ARNOLD: I live there on purpose.  
21  
22 MR. LOHSE: Almost over into Resurrection Bay.  
23  
24 MR. ARNOLD: Right.  
25  
26 MR. BASNAR: Okay.  
27  
28 MR. ARNOLD: But if we, the people, own the  
29 game, and then your federal comes in and says certain  
30 people have more -- I do believe that we pay game  
31 biologists to study our state, our moose -- we have  
32 biologists that study it. Don't they know? Can't we  
33 just leave it up to them and if they say there should  
34 be cows killed, then we should kill a cow. If they say  
35 there is no hunting, shouldn't it be that way. We  
36 don't really need somebody else coming in and telling  
37 -- a lot of politics going into our fish and game is  
38 what I'm trying to say. I guess that's all I got to  
39 say.  
40  
41 CHAIRMAN EWAN: All right. Thank you very  
42 much, if there are no questions. We have quite a list  
43 yet here so we'll just go right along. Gary Porter, if  
44 you're here? Gary? I think he told me he was going to  
45 leave so we'll skip on down to Gail Presley. Gail?  
46 And then following Gail, we'll have Shareen Book?  
47  
48 MS. BOCK: Bock.  
49  
50 CHAIRMAN EWAN: Book. Yeah.  
51

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SOUTHCENTRAL SUBSISTENCE REGIONAL ADVISORY COUNCIL  
SEPTEMBER 27, 1995 PUBLIC MEETING - VOLUME 1

1 MS. PRESLEY: Hello. My name's Gail Presley.  
 2 You'll have to pardon me, I have a cold. I'd like to  
 3 thank you for coming down and listening to us. I  
 4 consider myself a native Alaskan. I was born and  
 5 raised in Homer. And then after marrying my husband  
 6 Danny, moved to Ninilchik where we own a gas station  
 7 along with my brother-in-law Keith and Tess Presley.  
 8 We subsist on moose and we've had a moose in the  
 9 freezer for the past 18 years that my husband and I  
 10 have lived together as man and wife. Before that, my  
 11 father brought in the moose for us. I cannot remember  
 12 but one year that we actually bought half a beef and  
 13 put it in our freezer. I don't consider myself any  
 14 different than anybody else because of my chosen way of  
 15 supplying meat for me.

16  
 17 My brother -- my two brothers in Homer -- one  
 18 of them is a hunter and has done this for his family.  
 19 But this year I was approached by him and he says,  
 20 "Well, now you're better than I am. You're a chosen  
 21 one. You're one of the chosen few." And that hurt  
 22 because I was brought up not to be prejudiced, that  
 23 none of us are different than the other. And yet,  
 24 because of this subsistence law that came into effect  
 25 this year, it has divided not only my brother and I but  
 26 I told him "There's no way. I'm going to fight it. I  
 27 feel it's wrong."

28  
 29 It's divided the community. I work at the gas  
 30 station. I have people come in there and they are hot.  
 31 They're livid. They're saying, "Why? Why does  
 32 somebody get a privilege over another person?" And in  
 33 Alaska, we were brought up not to be prejudiced. It's  
 34 not until this past 10 or 15 years that you see that  
 35 happening.

36  
 37 I feel that we are going to put too much  
 38 pressure on the moose population. The Fish and Game  
 39 has done a great job at managing it. I know my  
 40 brother-in-law, Keith, talked about when the spike/fork  
 41 and horn or 50-inch better came into effect, that  
 42 really helped the moose population. It was on a  
 43 decline. We hunt 15 -- I believe it's called 15C out  
 44 on the moose range. We've hunted there ever since my  
 45 husband and I have been together, 18 years, and him  
 46 before that. And we've watched the moose population  
 47 decline and increase. And we feel that the federal  
 48 government at this time, doing the recommendations, has  
 49 really helped the moose population.

50  
 51 Like my brother in law said, you have to hunt

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1 hard. It's not just get in your truck and go down the  
 2 highway and hope you're going to see one. You got to  
 3 get out there and beat those bushes 15 hours a day.  
 4 It's not easy. But we've had moose in our freezer  
 5 every year because we choose to put our money into  
 6 horses to go out there to do it. It costs us a heck of  
 7 a lot more for that moose than it would to go into the  
 8 store, let me tell you.

9  
 10 Another thing is this rural versus non-rural.  
 11 I just feel that that's wrong. You know, if somebody  
 12 from Anchorage takes the initiative to get a horse and  
 13 come on down and get out there 15 miles on to the moose  
 14 range, he has just as much right as I do living in  
 15 Ninilchik. I may not like it, but he has the right  
 16 over and above somebody that's just moved into the  
 17 area. You know, you're talking about going and  
 18 classifying Homer as rural. I have a problem and I'm  
 19 trying not to be prejudiced, but I see the Russians  
 20 getting preference there over other people that have  
 21 lived here all their lives. It's wrong. I think you  
 22 need to make one recommendation for everybody, not  
 23 rural; not non-rural.

24  
 25 Another thing that worries me is that you're  
 26 talking about, well, have English Bay and Nanwalek part  
 27 of the rural classification. Where are they going to  
 28 hunt moose if they are classified as rural? Now, we  
 29 were told that the only place you could do that was on  
 30 federal land. So that means that the 15C or, you know  
 31 -- are they going to fly over in their airplane and  
 32 then rent a car and go back in there onto where we're  
 33 going to be hunting and put more pressure on that area?  
 34 So, what are the recommendations there? I'd like to  
 35 have that answered, if I could.

36  
 37 CHAIRMAN EWAN: Does anybody want to answer  
 38 this?

39  
 40 UNIDENTIFIED: We don't have an answer.

41  
 42 MR. OSKOLKOFF: Mr. Chairman.

43  
 44 CHAIRMAN EWAN: Yes.

45  
 46 MR. OSKOLKOFF: We're here to formulate recom-  
 47 mendations, if I could just clarify that for everyone.  
 48 We haven't got to that portion because we're listening  
 49 to the people's comment before we make up our minds on  
 50 those kind of things. And I think that's as it should  
 51 be. And therefore, I think it would be difficult for

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1 us to answer that at this point. But it will be  
2 answered, no doubt, by the end of the next additional  
3 two days.

4  
5 MS. PRESLEY: Okay, this is what worries me.  
6 When people start saying, "Well, yeah, let's let them  
7 be rural", where is the pressure going to go for them?

8 If they have to hunt 15 days prior to the normal  
9 regulation time, they're going to go on federal land.  
10 The only place that I see it on the map at access is  
11 going to be on this side. And it's going to be putting  
12 lots more pressure right where they don't need to be.  
13 The moose out there are starting to come up again.  
14 We're seeing some good mulligans and healthy herds.  
15 You know, there's a lot more cows to be seen. But  
16 thank you anyway.

17  
18 CHAIRMAN EWAN: I don't know, I probably have  
19 the same question as you do.

20  
21 MR. BASNAR: Okay.

22  
23 CHAIRMAN EWAN: You said they shouldn't have  
24 any preference but you just said earlier that Anchorage  
25 people should have just as much right...

26  
27 MR. BASNAR: Same question.

28  
29 CHAIRMAN EWAN: ...to hunt whether...

30  
31 MS. PRESLEY: And they -- that's right. But  
32 they have the same amount of time as everybody else.  
33 If you're giving Nanwalek and English Bay 15 days ahead  
34 of time, that's wrong. If you give people from  
35 Anchorage 15 days ahead of time, it's wrong. I think  
36 everybody should have the same amount of time to hunt  
37 and harvest the moose and I think it should be in  
38 conjunction with worrying about the moose population.  
39 And like we said, maybe we're all not going to get a  
40 moose every time now. Maybe we have to ease off on the  
41 pressure and say 5 days moose hunt. You know, we've  
42 got to think about the moose out there and not just the  
43 privilege of hunting. It's got to be managed and I  
44 think it's been doing really well. But when we start  
45 giving extended periods of time and special permits for  
46 people, I think that's wrong. I don't think you're  
47 doing the moose the justice. Thank you. Any  
48 questions?

49  
50 CHAIRMAN EWAN: Lee.

51  
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1 MR. BASNAR: Yeah, I had the same question Roy  
2 did but I also have another question.  
3  
4 MS. PRESLEY: Uh-huh (affirmative).  
5  
6 MR. BASNAR: On this horse business. This is  
7 kind of foreign to me because I've never hunted on  
8 horses. Since you have horses, you probably know most  
9 of the people in the area that do have horses. Is...  
10  
11 MS. PRESLEY: Yes.  
12  
13 MR. BASNAR: ...that a correct surmise? Okay.  
14 How great an impact does the horse hunt have on the  
15 area you hunt in? Without horses, would it be possible  
16 to hunt there at all?  
17  
18 MS. PRESLEY: Like my brother-in-law said,  
19 yes, there is one man that comes out. Zimmerman from  
20 Seward.  
21  
22 MR. BASNAR: Right.  
23  
24 MS. PRESLEY: He travels over and gets on his  
25 four-wheelers and hunts that area heavily. And they  
26 pack the meat out on their backs until the time that  
27 the season is over and then they can transport their  
28 meat out Oilwell Road. But, you know, there is people  
29 that will do it. Now, there are people that are  
30 getting to be more of horse hunters. I mean, I'm  
31 seeing the population going up a little bit there.  
32 They're realizing that that's what they're going to  
33 have to do to get out there where the moose are really  
34 at.  
35  
36 MR. BASNAR: Okay, well that -- you've just  
37 about answered my question.  
38  
39 MS. PRESLEY: Yeah. Yeah.  
40  
41 MR. BASNAR: Isn't it going to increase the  
42 amount of horsemen out there?  
43  
44 MS. PRESLEY: It possibly could but it takes a  
45 pretty strong person with a lot of fortitude to want to  
46 do it. It's not an easy thing.  
47  
48 MR. BASNAR: Would you object at some point in  
49 the future, due to increased pressure on the moose  
50 population, to the prohibition of horses? Would you  
51 object to that?

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1  
2 MS. PRESLEY: To be able to get out to that  
3 area?

4  
5 MR. BASNAR: Uh-huh (affirmative).  
6

7 MS. PRESLEY: You mean, for transportation?  
8

9 MR. BASNAR: Uh-huh (affirmative).  
10

11 MS. PRESLEY: So it's a walk-in situation  
12 only?  
13

14 MR. BASNAR: Uh-huh (affirmative).  
15

16 MS. PRESLEY: Well, sure I'd object because  
17 it'd make it really hard on me. But if that's what it  
18 takes, if that's the amount of pressure that's going to  
19 increase the herd, then I guess that's going to have to  
20 be fair for everybody.  
21

22 MR. BASNAR: Thank you.  
23

24 CHAIRMAN EWAN: Thank you very much. If  
25 there's no other questions, we'll go down to the next  
26 person. Shareen?  
27

28 MS. BOCK: Do I have to hold this?  
29

30 CHAIRMAN EWAN: I think we can hear you.  
31

32 MS. BOCK: Okay. I'm Shareen Bock and I'm a  
33 resident of Ninilchik for 25 years. I'm a member of  
34 the Ninilchik Traditional Council. I'm an American  
35 Indian. I'm not a native Alaskan but I am an American  
36 Indian. I have lived in Ninilchik for 25 years. I am  
37 a hunter. I have hunted, myself, since 1987, since my  
38 husband has not always been able to do it. And this  
39 spike/fork 50-inch rule came into effect in 1987.  
40 Actually, I've hunted in 1986. We both got moose that  
41 year, my husband and myself. In 1987 we did not get a  
42 moose. And that was the first year the spike/fork 50-  
43 inch rule came into effect. And we were very upset  
44 about that but we learned to live with the restrictions  
45 that were put on us by the spike/fork 50-inch rule and  
46 all the restrictions that the State of Alaska has put  
47 on us. And they are working and there's avenues out  
48 there that if people want to get out and hunt and  
49 supply meat for their family and the moose meat and  
50 whatnot for their family, that the Fish and Game has  
51 allowed that to happen for all of us. You know,

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1 there's proxy hunts out there for people who are unable  
 2 to hunt. And I have -- one year, I proxy hunted for  
 3 someone, my father-in-law who was ill. And I got a  
 4 moose for him and I also got a moose for myself, our  
 5 family.

6  
 7 And I really disagree with all this -- the  
 8 subsistence issue because it has divided our community  
 9 up very much so. Natives against other people. I work  
 10 in Homer; I'm a credit and collections officer in  
 11 Homer. And people in Homer are very much against  
 12 what's going on and, you know, we have to live with  
 13 that and all this diversity that has gone on and it's  
 14 just not fair. We're all Americans; we're all supposed  
 15 to created equal. Then let us all be equal. Anchorage  
 16 people, it doesn't matter. We're all Alaskans. We  
 17 need to have that -- be able to feed our families like  
 18 we have.

19  
 20 CHAIRMAN EWAN: Lee.

21  
 22 MR. BASNAR: Shareen? Is that correct?

23  
 24 MS. BOCK: Uh-huh (affirmative).

25  
 26 MR. BASNAR: You're a member of the Ninilchik  
 27 Traditional Council?

28  
 29 MS. BOCK: Uh-huh (affirmative). Yes.

30  
 31 MR. BASNAR: And you can hunt on this Native  
 32 land that they're logging on?

33  
 34 MS. BOCK: No, I can't. I'm not a Ninilchik  
 35 shareholder.

36  
 37 MR. BASNAR: I guess I'm confused. Okay.

38  
 39 MS. BOCK: I'm a Ninilchik Traditional Council  
 40 member but I am not a Ninilchik Native Association  
 41 member/shareholder. It's two separate organizations.  
 42 And I'm not allowed to hunt on Native land, I found  
 43 that out this year, so...

44  
 45 MR. BASNAR: But as a member of the Tribal  
 46 Council, you still benefit from this 10-day additional  
 47 moose season?

48  
 49 MS. BOCK: Yes, and I chose not to do that --  
 50 to get a subsistence permit this year because the first  
 51 10 days of the season in August that first 10 days,

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1 it's too warm to hunt moose. If you do get moose,  
2 there's going to be a lot -- I mean, I didn't even hunt  
3 it. And I know several people who did, and -- with  
4 none of them getting moose. It's too warm. The moose  
5 -- if you get a moose, you're going to have to take  
6 care of it right away or you're going to have wasted  
7 meat.  
8  
9 MR. BASNAR: Did you apply for a permit...  
10  
11 MS. BOCK: No.  
12  
13 MR. BASNAR: ...down at the Skilak Loop?  
14  
15 MS. BOCK: No.  
16  
17 MR. BASNAR: Why not?  
18  
19 MS. BOCK: I don't think I would have been  
20 allowed one, but no.  
21  
22 MR. BASNAR: If you would have been allowed  
23 one, would you have applied for one?  
24  
25 MS. BOCK: No. I think I would have just  
26 hunted the regular sport season.  
27  
28 MR. BASNAR: Thank you.  
29  
30 MS. BOCK: Uh-huh (affirmative).  
31  
32 CHAIRMAN EWAN: Okay, thank you. The next  
33 person is Lee Marvin -- Martin.  
34  
35 MS. MARTIN: Good evening. My name is Lee  
36 Martin. I live in Soldotna. I wasn't really planning  
37 on speaking tonight. This is the fifth or sixth  
38 meeting about this subject that I've attended so far.  
39 And since I've been attending these meetings, most all  
40 of the testimony that I've heard, except for three  
41 people, has been against subsistence being implemented  
42 the way it's being done here on the Kenai Peninsula.  
43 My understanding is that it's being implemented because  
44 the federal government has a regulation in ANILCA or  
45 ANILCA, itself, requires it and so we're doing it, even  
46 though none of us want it. In the last four or five  
47 meetings, it seems to me, the pleas of everybody who  
48 lives here on the Kenai Peninsula has fallen on deaf  
49 ears. We don't want this. We just don't. And I don't  
50 understand how a federal or a state process or any kind  
51 of bureaucracy can force us to do this when it's pretty

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1 clear that it's simply not wanted.  
2

3 I've heard politicians say personally to me  
4 that they have to have a consensus. And I thought,  
5 well then, you must not have been attending the same  
6 meetings that I've been attending because I've heard a  
7 consensus. Honest to God, there has been three people  
8 that I have heard testify at the meetings that I  
9 attended that were for this type of subsistence  
10 implementation.  
11

12 This is probably the last meeting on this that  
13 I'm going to attend unless I see some kind of --  
14 something different come out of this one because it  
15 seems a waste of time for us. And the last thing I  
16 wanted to say before I leave here tonight is, I grew up  
17 in international communities and I came to Alaska as a  
18 young woman. One of the things I liked about Alaska is  
19 we're not free of bigotry in this state, but it's not  
20 as blatant as what I've seen in most of the world. And  
21 what bothers me about the subsistence more than  
22 anything else -- I am a hunter and it'll probably  
23 affect me somewhere down the road. But what bothers me  
24 the most is that I'm seeing government-regulated  
25 bigotry occurring in my community and it's something I  
26 absolutely hate. (Applause) And I don't want to see  
27 it happen. So I'm begging this advisory council,  
28 because the federal board didn't seem to listen to us.  
29 And Lee, you mentioned that you're closest to us in  
30 the bureaucracy. So it seems to me that this is our  
31 last shot at asking you guys, please, just stop this  
32 whole thing. Just tell the federal government we've  
33 got what we want. We're satisfied with what we have  
34 and we don't give a damn what ANILCA says.  
35

36 (Applause)  
37

38 MR. HENRICHs: One more question, what do you  
39 do for a living?  
40

41 MS. MARTIN: I'm a furrier.  
42

43 CHAIRMAN EWAN: Okay, thank you. We'll go on  
44 down the list. The next person is Charles Daniel.  
45

46 MR. DANIEL: Mr. Chairman, board. I'm very  
47 thankful to be here -- that you allowed us to be here  
48 tonight. I came here with no intentions to speak but  
49 after sitting here for a while, I decided that I would.  
50 I haven't been a resident of Alaska that long. Just  
51 since 1989. I've hunted mainly here on the Kenai

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1 Peninsula. I represent 16 people in my family that  
2 moved here with me in 1989. We have hunted moose  
3 primarily on the moose range out here in Area 15, 15C,  
4 15A, on -- mainly off the Marathon Road and also off  
5 Strawberry Road and other places out here. We walk.  
6 We do not ride horses. We walk.  
7

8 My family, out of five hunters that are  
9 eligible to hunt in my family, killed three moose this  
10 year. All over in the Three Brow Tine\* area. There  
11 was one at 35, one at 40 and one at 45. And myself did  
12 not shoot, but had the opportunity the last day to kill  
13 a moose that was approximately 50 to 60 inches. Now I  
14 hunted approximately 10 days out of the season. My  
15 sons have hunted the whole season. One of them is  
16 unemployed. The other one works nights at K-Mart,  
17 scrubbing floors. I think if anyone is entitled to  
18 hunt, would be somebody that makes less than \$10.00 an  
19 hour and has no subsistency whatsoever from any  
20 organization.  
21

22 I've come to realize to the point tonight, is  
23 that from all the consensus at all the meetings that  
24 I've been to, except the first meeting that you folks  
25 held. I believe that was up at Cooper's Landing a year  
26 and a half ago until we met, I've been to every meeting  
27 that has been held since then. I've come to the  
28 consensus is that there is one family on this Peninsula  
29 that is in favor of subsistence hunting in this area.  
30 I know none of these people in this family. I have no  
31 prejudices against any of these people. But I cannot  
32 understand why that one family can control everything  
33 that happens on this Kenai Peninsula. I do not think  
34 it's right. We all have the same access to all the  
35 facilities here.  
36

37 I am a welder by trade. I work for commercial  
38 fishermen. I work for anybody that comes along. I am  
39 self-employed. I am a seasonal worker. I work  
40 approximately 90 days out of the year here. Now that's  
41 not very many -- much time to make enough money to live  
42 12 months out of the year. I know a lot of people on  
43 this Peninsula that get subsistence from the federal  
44 government and other places that make a whole lot more  
45 money than I do. And if you don't believe me, just  
46 take the reports that come off of the television at  
47 night. I had a friend of mine that was up in the  
48 Wrangell Mountains hunting here not long ago that said  
49 he was introduced to some people from the federal  
50 government. They were talking about subsistence in the  
51 state of Alaska. They said that in the rural villages

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1 they believed that they needed it. Even though they  
 2 spent approximately \$89,000.00 per person in those  
 3 villages to sustain those people out there, they still  
 4 needed it.

5  
 6 I agree with these people. I agree that there  
 7 are some people in the state of Alaska that do need  
 8 subsistence. But I do not believe that they should  
 9 have priority over anyone else. I believe that these  
 10 people live in these areas; they have first opportunity  
 11 to hunt these areas. Everybody else has to fly in or  
 12 go in some other way.

13  
 14 I live here on the Kenai Peninsula. I'm not  
 15 asking for any special privileges. Although I do live  
 16 in a borough, I did apply for a subsistence permit so  
 17 that I could be denied in writing. I was denied in  
 18 writing. I received my letter in writing from the  
 19 federal government, from our federal lands -- federal  
 20 office here in Kenai telling me why I was not. Because  
 21 of my zip code, I was denied. Now why is this right  
 22 for me, that I live outside of a township. I live  
 23 outside of any place else, although I work constantly  
 24 throughout the whole Peninsula. But I am not connected  
 25 to any town, basically, other than my zip code, where I  
 26 get my mail at. Why would one town that is a town be  
 27 entitled to subsistence when no one else does? Can you  
 28 answer me that question, please sir?

29  
 30 I believe that if you have the initiative and  
 31 want to hunt and are a true hunter, you will get out  
 32 and hunt. Our closest moose this year was brought in  
 33 from a mile and a half out, on our backs. The furthest  
 34 one was seven miles. Now you tell me if that isn't  
 35 dear moose meat? That's dear to the heart, by the time  
 36 I get it out. And that's all I have to say and I  
 37 appreciate the opportunity to be here tonight. If  
 38 there's any questions you'd like to ask me, I'm open  
 39 for them. Yes, sir.

40  
 41 CHAIRMAN EWAN: A comment more than a  
 42 question. Do you know that usually people like in this  
 43 community, maybe, and Anchorage and Fairbanks, have a  
 44 lot more means to get to the game than the rural area  
 45 people? They have airplane and in my area, in the  
 46 Glenallen area, they have machines to get out there  
 47 that a lot of local people don't have. But they have a  
 48 very distinct advantage over us out there. We don't  
 49 have these big machines. We can't afford airplanes.

50  
 51 ~~MR. DANIEL: No, sir. I don't have them~~

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1 either. I don't have an airplane. I don't have a  
2 boat. I have a welding truck that I make my living  
3 with and I put all my money into that so I can continue  
4 to work for 90 days out of the year.

5  
6 CHAIRMAN EWAN: And a lot of our people don't  
7 even have jobs out there.

8  
9 MR. DANIEL: I understand that, sir. I...

10  
11 CHAIRMAN EWAN: When you're talking about one  
12 community, think about the whole Alaska too. There  
13 should be no preference -- I think there should be  
14 preference myself. The rural -- real rural  
15 communities, myself.

16  
17 MR. DANIEL: Well, sir, in rural areas out in  
18 there, don't those people have first priority anyway  
19 because they live in those areas? They have the  
20 closest means to get to that game. I mean, most of  
21 those seasons out there run long enough that they can  
22 use snow mobiles, four wheelers and that. We don't use  
23 that here on the Peninsula. We're not allowed to use  
24 it. In fact, this last week I was stopped -- the  
25 Saturday before the end of the season -- with a moose  
26 on my back by a forest service man that wanted to check  
27 it. And I told him to go to the gate where his vehicle  
28 should be parked, where my vehicle was parked, and I  
29 would walk out to there and he could check my moose out  
30 there, okay. It was my son. That man waited an hour  
31 and a half for us to pack that meat out. And then I  
32 asked him, that sign out there said, no vehicles beyond  
33 this point -- what was his reason for being in there  
34 with a vehicle? He stated he was in there on federal  
35 government business. That man was shooting spruce  
36 hens, because we heard him. Okay? But that's another  
37 point. I'm saying is, my law says that I could not  
38 drive beyond that point. I don't believe anybody,  
39 whether he's Native, African American or who he is,  
40 should be able to drive past that point if I can't do  
41 it. Okay?

42  
43 But I'm saying in the rural areas of this --  
44 Alaska, there is no restrictions on those people out  
45 there to ride three wheelers, four wheelers, snow  
46 mobiles, boats, airplanes or anything else to get their  
47 game out there. And besides, I'm mainly talking about  
48 the Kenai Peninsula. We're all connected. We all live  
49 right here. We all have automobiles to drive to where  
50 we want -- we need to get our meat at. We hunt because  
51 we're hunters. We hunt because we enjoy the sport or

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1 the opportunity to be able to gather the meat.

2  
3 CHAIRMAN EWAN: Yeah.

4  
5 MR. DANIEL: For no other reason.

6  
7 CHAIRMAN EWAN: I think my only -- the reason  
8 I commented was that everybody's making comments, kind  
9 of, generally that there should be no preference.  
10 There should be none of that. I'm just making a  
11 comment that I believe there should be a preference for  
12 real rural communities, yes.

13  
14 MR. DANIEL: I believe, sir, that the reason  
15 why that the comment keeps being brought up is because  
16 it's the Kenai Peninsula that's being represented here  
17 right now. Okay? I mean, if I lived out at -- I don't  
18 know half the names of these towns and I can't  
19 pronounce half of them. But let's say I lived in Nome.  
20 If I was hungry, I'll tell you what, I'd shoot a moose  
21 and it didn't make any difference who was going to tell  
22 me what I could or couldn't do. Okay? Or a caribou.  
23 But I'm going to be hungry before I do it and I'm going  
24 to take all the meat home and I'm going to use all the  
25 meat. I'm not going to feed it to my dogs or anybody  
26 else. The meat goes to feed my family. If I have to,  
27 I'll eat my dogs. That's all I have to say, sir. If  
28 there's any other questions?

29  
30 CHAIRMAN EWAN: Okay.

31  
32 MR. DANIEL: Thank you.

33  
34 CHAIRMAN EWAN: The next person is Renee  
35 Martin.

36  
37 MS. RENEE MARTIN: Hi. My name's Renee  
38 Martin. First of all, I want to apologize for my  
39 behavior prior to the break. I get pretty fired up  
40 over this issue and sometimes I just get out of hand,  
41 so please accept my apologies. First of all, I want  
42 you to know I don't hunt. And I don't eat wild beef --  
43 or wild game rather. I eat boughten (sic) beef except  
44 in the hard part of winter when I don't make any money  
45 and I have two little boys I have to feed. Therefore  
46 during hunting season when my family gets a moose, I  
47 help pack it out. And when I can't afford to buy beef,  
48 I go to my sister or I go to my brother-in-law or I go  
49 to my other sister and I get a moose roast and some  
50 steaks and some moose burger because I was the one who  
51 helped package that meat because that's what it's all

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1 about. It's to feed my family. My entire extended  
2 family. And that includes people I've taken in as  
3 family even though they're just friends and they're not  
4 related to me by blood.

5  
6 Subsistence on the Kenai is ridiculous. It's  
7 absurd. And for your information, I am a furrier and a  
8 skin sewer and an entrepreneur. I personally believe  
9 that you guys could go back to the feds and you can  
10 tell them we don't need this on the Kenai Peninsula.  
11 The federal board didn't listen to us in July. And  
12 they didn't answer our questions properly. And I  
13 appreciate you answering my questions and giving me a  
14 place where I can look to find the answers myself.  
15 Because it didn't happen this summer. And I do believe  
16 it is up to you to question the definitions of rural  
17 and non-rural. As far as I'm concerned, you're  
18 supposed to be representing the citizens of the state  
19 of Alaska and the Kenai Peninsula.

20  
21 CHAIRMAN EWAN: There's one difference. We're  
22 supposed to be concerned about subsistence, not about  
23 sports hunters and...

24  
25 MS. RENEE MARTIN: I understand that. I  
26 understand that. But who are you working for?

27  
28 CHAIRMAN EWAN: Yeah.

29  
30 MS. RENEE MARTIN: Do you understand what I'm  
31 saying? Are you working for the citizens of the state  
32 of Alaska or are you...

33  
34 CHAIRMAN EWAN: Subsistence people.

35  
36 MS. RENEE MARTIN: I understand that. And  
37 they are citizens of the state of Alaska.

38  
39 CHAIRMAN EWAN: Right.

40  
41 MS. RENEE MARTIN: We are all citizens of the  
42 state of Alaska. I have chosen this as my home. I,  
43 too, was raised internationally. And I've seen racism  
44 and bigotry that you would not believe. And I've  
45 endured it myself. And I think it's your responsi-  
46 bility to go back to the federal board and you need to  
47 get the definitions of rural and non-rural and tell  
48 them that it's not -- it's not right. It's not correct  
49 and they need to change it. You also need to say we  
50 don't need subsistence and we don't need ANILCA. Thank  
51 you.

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1  
2 CHAIRMAN EWAN: Thank you. All right. Next  
3 person is Roger Ager -- Agger (ph) or Ager.  
4

5 MR. AGER: Hi. My name is Roger Ager and I'm  
6 -- at this point in time according to Uncle Sam, I'm  
7 urban. But he's fickle, you know, lately so I don't  
8 know what I'll be next week or next year. I'd like to,  
9 for the record, say that I'm against subsistence on the  
10 Kenai. There's no need for it here. And, well, that's  
11 all I have to say, just that there's no place for it on  
12 the Kenai. Thank you.  
13

14 CHAIRMAN EWAN: Thank you.  
15

16 MR. HENRICHS: Yeah, what do you do for a  
17 living?  
18

19 MR. AGER: Anything I can to survive. Right  
20 now I'm a taxidermist. I'll tell you one thing that  
21 I've been all my life though and that's a hunter. A  
22 predator. So...  
23

24 CHAIRMAN EWAN: All right. Thank you.  
25

26 MR. AGER: Ever since I was tall enough to  
27 reach the window sill I was catching flies off of it  
28 and eating them. And now I graduated to moose.  
29

30 (Laughter)  
31

32 CHAIRMAN EWAN: Okay, the next person is  
33 Randy Franklin.  
34

35 MR. FRANKLIN: Hi. I can't say much that  
36 hasn't been said. I'd just like to -- you know, all  
37 I've heard is a resounding no. No rural preference.  
38 And I realize that, you know, you guys are getting  
39 blasted for that and, you know, you claim it's not your  
40 fault but, you know, I sit on the Homer Advisory  
41 Committee and I'm on the board of directors of Alaska  
42 Bow Hunters Association and I belong to a lot of other  
43 organizations. And just doing that, we represent the,  
44 -- you know, the people who supposedly don't -- decide  
45 they don't want to be involved in the process or  
46 whatever. They trust us to represent them properly.  
47 And I'm kind of confused because I don't see how  
48 endeavoring to set policy or regulation by following  
49 the mandate of the feds, Title 8 of ANILCA. I don't  
50 see how you can -- those two kapeesh (ph). They don't.  
51 It goes against the Alaska Constitution and the

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1 statehood compact. That's why we all live here.  
2 That's why I live here. Because -- and I don't see how  
3 you can sit here and try to set policy and come up with  
4 this by following that mandate from the federal  
5 government. I just don't see how you can do it. You  
6 know, you show me a case where someone -- you know, if  
7 something's not broke, don't fix it. You know, show me  
8 a case where someone who needs subsistence is not  
9 getting it because they do not have enough opportunity,  
10 you know. In that case I'll back that person 100  
11 percent. And I think anybody in here would. But  
12 that's the thing, you know. If there's a problem,  
13 let's fix it. If there's not, let's not.

14  
15 And to spend all this time and money and  
16 listen to everybody talking about their moose hunts and  
17 their horses and everything else, that's great. But  
18 what's it have to do with the real issue? You guys,  
19 you know, obviously can't address the fact that, you  
20 know, we're under this -- under Title 8 of ANILCA.  
21 And, you know, that needs to be changed. And everyone  
22 needs to support the groups like Kenai Peninsula  
23 Outdoor Coalition and Alaska Outdoor Council who are  
24 fighting it to do something about it. But I would just  
25 like to ask you folks if you feel like you're truly  
26 representing the people in your area by going ahead and  
27 trying to set policy according to what the feds  
28 mandate. I just -- I can't see it.

29  
30 CHAIRMAN EWAN: I can truthfully say I believe  
31 I'm representing my area to the best of my ability.

32  
33 MR. FRANKLIN: So, yourself, you have a  
34 definition in your own mind of what a subsistence user  
35 is?

36  
37 CHAIRMAN EWAN: Well, it's defined in ANILCA.  
38 They just gave you the definition, yeah. I can't  
39 change that. It's a law. Fred.

40  
41 MR. JOHN: Thank you, Mr. Chairman. I'd just  
42 like to say that I heard from a lot of people from  
43 Kenai that said they're against subsistence on the  
44 Kenai, you know. And I sit there -- I'm from Mentasta  
45 Village, which is a Native village and to us,  
46 subsistence is a way of life. It's our way. It's the  
47 hunting, the fishing, it's just -- the skin. But it  
48 goes back into our way of life, how we live; how we  
49 relate to each other. And to me, subsistence is a life  
50 that us Native -- I grew up -- I grew up a Native but I  
51 learned the white man way. I learned everything the

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1 white man -- I could live in a white man way. But I  
 2 really love the way of my people better. I love their  
 3 sharing and the village life. And I love all that.

4  
 5 We -- the village I'm from -- we're not  
 6 beggars. We got a little government of our own that I  
 7 think outdo any little city here on the Kenai  
 8 Peninsula. We've got an executive director that works,  
 9 but they love the Native way of life. And when I hear,  
 10 you know, subsistence -- Kenai is against subsistence,  
 11 it just tells me right down here that it's against a  
 12 Native way of life.

13  
 14 And I'm from Mentasta and I was chosen because  
 15 I wrote why -- why -- by the Secretary of the Interior  
 16 to be a representative for my area. I chose that I  
 17 live the subsistence way of life. I do a lot of  
 18 hunting. Sometimes I never catch nothing, you know,  
 19 but I live that life and I love it. And I don't want  
 20 to lose it. And to me -- to me, those people, the  
 21 Native people that live in the Kenai Peninsula, that  
 22 live in both worlds, and they chose to live their way  
 23 of life. I support them 100 percent. I would support  
 24 them 100 percent. That's what ANILCA was for. The  
 25 original intent of ANILCA was to protect the Native way  
 26 of life. It's for Native traditional and customary,  
 27 non-Native traditional and social. It didn't say that  
 28 non-Native -- it says the Native way, traditional and  
 29 customary. And I'd just like to make that comment  
 30 because I hear, again, a lot about that on, "I'm  
 31 against subsistence"...

32  
 33 MR. FRANKLIN: Well, I re-...

34  
 35 MR. JOHN: ...and I'm trying to be fair as far  
 36 as I know. I'm trying to listen and I...

37  
 38 MR. FRANKLIN: I respect you and I, you know,  
 39 -- and that right there is an example of what it's  
 40 doing. You know, I don't -- I wouldn't want you to  
 41 perceive that I'm saying that I don't -- I'm against  
 42 subsistence lifestyle or subsistence preference, if  
 43 there needs to be a preference in areas that need it.  
 44 And I'm not -- I would never put down, you know, your  
 45 way of life or anything. I feel -- and I would never  
 46 compare my life to yours either and the people that are  
 47 out in the villages. But I feel like I have that  
 48 tradition in me too. You know, my family, as far back  
 49 as I can remember, hunt. I build bows; I build arrows.  
 50 I harvest the game with the bows and the arrows that  
 51 I've built. That's the way I choose to do it. It's

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1 not a matter of getting a big rack. It's a matter of  
 2 meat and it's the way I take the meat. And it's real  
 3 important to me. And to divide you and I because of  
 4 where we live or because of the color of our skin is  
 5 wrong.

6  
 7 If, you know, sure, I have a choice. Most  
 8 people in this world have a choice. But for the  
 9 federal government to say, according to what your zip  
 10 code is, is whether or not you get the special  
 11 treatment is wrong because it's dividing you and I. I  
 12 do not -- I hope you aren't getting the impression that  
 13 we're saying we're against subsistence lifestyle or  
 14 subsistence because I'm not personally. And I don't  
 15 think most of these people are. They're just trying to  
 16 explain their frustration with the system and the way  
 17 it's trying to impose, you know, impose it on us.

18  
 19 MS. MARTIN: Federal subsistence is not the  
 20 same as a subsistence lifestyle lived by the Natives.  
 21 And I think that's what we're objecting to. Is not the  
 22 Native subsistence lifestyle but the government use of  
 23 the word.

24  
 25 MR. HENRICHS: Do you do something for a  
 26 living?

27  
 28 MR. FRANKLIN: Yes.

29  
 30 MR. HENRICHS: What is it?

31  
 32 MR. FRANKLIN: I build bows.

33  
 34 MR. HENRICHS: Oh, good.

35  
 36 MR. FRANKLIN: And I do whatever else I can.  
 37 I actually try to do as little as possible but -- I  
 38 want to be honest with you but I hunt and fish.

39  
 40 MR. HENRICHS: Good.

41  
 42 CHAIRMAN EWAN: All right. You're the last  
 43 person. Anybody got questions here? Lee.

44  
 45 MR. BASNAR: Just one quick one. You  
 46 mentioned two organizations that you belong to, the Bow  
 47 Hunters Association and the Homer Advisory Committee,  
 48 of which you're a member. Were your comments your  
 49 personal ones or were you representing either or both?

50  
 51 MR. FRANKLIN: I would make those as just my

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 SEPTEMBER 27, 1995 PUBLIC MEETING - VOLUME 1



1 personal. I haven't put anything together. You know,  
2 I'm the legislative vice-president for Alaska Bow  
3 Hunters Association. And I wouldn't really make  
4 comment to this board because it's not pertinent to  
5 what you're doing here, you know, so. I mean, what I  
6 want to tell you is that I'm against, you know,  
7 subsistence use in the Homer area -- in the Homer rural  
8 -- what they've defined as rural area. I'm just --  
9 because I don't feel that there's anyone, you know,  
10 that I know of that, you know, that needs it. But...

11  
12 MR. BASNAR: Thank you.

13  
14 CHAIRMAN EWAN: Okay, thank you very much.  
15 All right. The next item, maybe we've had it  
16 already...

17  
18 MR. MARSHALL: Roy? I think you got one more  
19 if you'll allow it.

20  
21 CHAIRMAN EWAN: All right.

22  
23 MR. MARSHALL: We got one more.

24  
25 CHAIRMAN EWAN: All right. Maybe I should ask  
26 if there's anybody else first. Come on up. State your  
27 name and I'd like -- you know, I should have asked  
28 people to tell us where you're from. I guess all the  
29 people that testified are from -- generally from this  
30 area here.

31  
32 MR. BONDERANT: Yes, my name's Dale Bonderant.  
33 I'm a 48-year resident of Alaska. And just to, you  
34 know, a little information on my background. I  
35 probably have attended more of these meetings than all  
36 the people sitting here together. I went before  
37 Congress three different times in Washington D.C. I  
38 fought for the Alaska Native Claims Act. But I started  
39 fighting against ANILCA. I fought for Alaska Native  
40 Claims Act which says that all aboriginal hunting and  
41 fishing rights are hereby extinguished. And they made  
42 a compact to bring the Natives in line with the other  
43 society they were being forced into. They gave them 44  
44 million acres and just a little less than 9 -- or a  
45 billion dollars. And I thought that had settled the  
46 thing, but it hasn't. And it's grown steadily worse.  
47 We have people divided against each other.

48  
49 I'm part North American Indian. And the  
50 people that -- the Natives that says, "Well, we were  
51 here first." Some of my ancestors beat your ancestors

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1 across that bridge. But that has nothing to do with  
2 equality. That's what's my problem. I say that I have  
3 a genetic defect that makes me believe in equality.  
4 And to bring out the fact that people need this stuff  
5 to live -- there are people that need it. But they  
6 have always opposed making this on a need basis. Every  
7 Native corporation I've been up and discussed and been  
8 in panels -- they flatly oppose making this based on a  
9 need. So it gets beyond that. And to say, well, I  
10 have a culture. I have a culture. Probably my only  
11 religion is my belief in being allowed to go out and  
12 take animals and things like that. So it affects me  
13 just as much as it does the gentleman over here. I can  
14 see his point and everything. But if you'll look at  
15 what they've done, they've selected parts of both  
16 societies and I want to do that. But my problem is, I  
17 don't want to be first. I want us all to be equal in  
18 our rights to select from these different societies and  
19 compete on this thing. And until we do that, we're  
20 going to have these problems of this bigotry.

21  
22 There's two ways to look at bigotry. It's the  
23 way I treat somebody else and say you're not as good as  
24 me. Or if I say I'm better than you. That's real  
25 bigotry. Both of those are. And we got to get away  
26 from that.

27  
28 I'm one of the appellants in the McDowell  
29 cases. I am one of only two people in Alaska that has  
30 been found by the Supreme Court to be a subsistence  
31 user. But I cannot legally and truthfully become a  
32 subsistence user under the federal things that you're  
33 using. And one of the things that you're using here,  
34 and I noticed that Mr. Ewan several times said,  
35 subsistence use, customary and traditional use, that is  
36 right. The use should have the priority. We shouldn't  
37 have a priority for subsistence. We should have a  
38 priority for the people that take and consume that  
39 fish. But we should not have a priority for the user  
40 within that use. And that's what you're establishing  
41 here. You're establishing people -- because of where  
42 they live or something like customary and traditional  
43 and stuff like that.

44  
45 They asked how these lines got drawn here. If  
46 you really remember, Judge Holland said there is no  
47 rural area on the Kenai Peninsula. The Kenaitzes and  
48 the Alaska Federation of Labor -- Federation of Natives  
49 went to the appeals court. The appeals court come back  
50 and said, "Judge Holland, you don't know what you're  
51 talking about. There are rural areas here." Judge

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1 Holland says, "Go to hell" and made a Kenaitze  
 2 educational feature. Another one -- another case of  
 3 basing it on ethnic identity. And that's what it's  
 4 becoming. This lady -- it says it's becoming a  
 5 government enforced bigotry. And that's what it's  
 6 becoming. When they gave the Ninilchik Council 20  
 7 moose, they gave them to Natives. They didn't give  
 8 them to the rest of Alaskans. And if you're going to  
 9 pass laws like that, eventually they're going to  
 10 backfire. Eventually the people in this state are  
 11 going to get worked up and they're going to pass laws  
 12 that go the other way.

13  
 14 I talked before young leaders of council one  
 15 time. And I had a young Native get up and he said,  
 16 "Mr. Bonderant, you don't realize that we want to live  
 17 like we always used to." I run off the podium, grabbed  
 18 his foot and held it up and said, "When are you going  
 19 to get rid of your cowboy boots and go back and use  
 20 mukluks?" They like to select certain parts of our  
 21 society. And I like to select certain parts of yours.  
 22 But I don't never want to be first.

23  
 24 I wasn't coming down here. I'd quit going to  
 25 these meetings several years ago because it just gets a  
 26 guy upset that does believe in equality. And I think  
 27 that's what the people are telling you. They think  
 28 that everybody in Alaska should be treated equal. And  
 29 for somebody to say, "Well, I like maple syrup the  
 30 best, therefore I have the right to it because I've  
 31 been here." That's not right. And that's what --  
 32 we'll never settle this thing until we settle the fact  
 33 that we are all Alaskans and we are all people, equal.  
 34 And we got to get that in there.

35  
 36 (Applause)

37  
 38 MR. BONDERANT: I don't know whether you know  
 39 that Judge Holland has just ruled that we have  
 40 standing. He just ruled it the 8th of this September.  
 41 So this case is going to go to the Appeals Court  
 42 again. And we're aiming for it to go to the Supreme  
 43 Court of the United States because there's some things  
 44 in this that's wrong. Very wrong. If we start  
 45 dividing our people up like this.

46  
 47 And another issue I would like to address is,  
 48 the people that work for the government, the ones that  
 49 are actually working for the government have a job.  
 50 But you people that are representing the public, I  
 51 cannot see how you can sit here and uphold this thing

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1 and look at our Constitution. Our Constitution says  
2 that you, me and everybody in Alaska has an obligation  
3 to the rest of the people and to the state that we're  
4 treated equal. Read Article 1 of the Constitution.  
5 And how you can sit here as board members and not be --  
6 as an employee of the government, and try to take and  
7 differentiate between the people of Alaska. And read  
8 the -- Article 1 of the Constitution in Section 3. It  
9 says we all have equal civil rights. This isn't equal  
10 civil rights. And I can't understand how anybody can  
11 serve on a board of game or a board of fish in Alaska  
12 and know what the Constitution says and deal with this  
13 so-called priority for users. That's what's wrong.  
14 They're trying to give it to individual users. But it  
15 doesn't work out that way.

16  
17 Technically, I can go to Mr. Ewan's -- any one  
18 of his villages, and whether I've done it before or  
19 whatever, and I move there, I'm going to be a priority  
20 user. That's the way ANILCA says. It doesn't say  
21 because my grandfather or my ancestors clear back in  
22 time done this, then that I have a right to do it. It  
23 says anybody under those situations has the same right.  
24 And, like I say, every one I've been in, whether it  
25 was top Native leaders or anything, they don't want it  
26 based on need. So we're not talking about need. You  
27 can talk about it and use it as an argument, but it's  
28 not so. So I've said my piece and you'll probably  
29 never see me again.

30  
31 CHAIRMAN EWAN: I have a question for you. I  
32 have a question for you. I know you're talking about  
33 equal rights and equal everything for a long time. I,  
34 kind of, think I believe in that philosophy also. But  
35 why isn't everybody up in arms about limited entry,  
36 veterans preference...

37  
38 MR. BONDERANT: Hey, hey, you...

39  
40 CHAIRMAN EWAN: ...and maybe 10, 20 other  
41 preferences that we have.

42  
43 MR. BONDERANT: ...you've never asked Dale  
44 Bonderant what he thinks of limited entry. And you  
45 haven't asked some of these commercial fishermen what  
46 they think. And you haven't asked him what he thought  
47 when they made the Permanent Fund available to people  
48 that moved in Alaska. I said, that's right. We can't  
49 do it because you've been here so long. You can't do  
50 those kinds of things and still be honest among  
51 yourself.

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1  
2 CHAIRMAN EWAN: But there are preferences, you  
3 realize right?  
4

5 MR. BONDERANT: There is preferences but I  
6 fight them every day.  
7

8 CHAIRMAN EWAN: Yeah. Yeah.  
9

10 MR. BONDERANT: If the gentleman asks me what  
11 I do, I'll say the last 15 years I've been fighting  
12 subsistence. That's my occupation. And ask some of  
13 these guys know me. They know...  
14

15 CHAIRMAN EWAN: And they're against the Alaska  
16 State Constitution, right?  
17

18 MR. BONDERANT: Huh? What?  
19

20 CHAIRMAN EWAN: They're against the State  
21 Constitution also, aren't they?  
22

23 MR. BONDERANT: Who are?  
24

25 CHAIRMAN EWAN: The limited entry and all  
26 that.  
27

28 MR. BONDERANT: Why, sure it is.  
29

30 CHAIRMAN EWAN: Yeah. Yeah.  
31

32 MR. BONDERANT: If there was that -- if  
33 limited entry -- well, did you read McDowell? Did you  
34 read McDowell on what they said?  
35

36 CHAIRMAN EWAN: Not totally. No.  
37

38 MR. BONDERANT: They said there is a -- there  
39 is an article in there that has a optimum number and  
40 you're not using it, and we better take another look at  
41 it. And this optimum number means -- you commercial  
42 fishermen, they brought this up -- it means that if  
43 there's more fish out there than there used to be, we  
44 should have more fishermen. If there's less, you have  
45 less. But they've never changed that. And that's the  
46 only thing that made it constitutional. And they're  
47 not applying it.  
48

49 CHAIRMAN EWAN: Ralph.  
50

51 MR. LOHSE: I'd like to ask Dale a couple of

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1 other questions. We're all citizens of the United  
2 States, right?

3  
4 MR. BONDERANT: Right.

5  
6 MR. LOHSE: If I want to go to Wyoming and go  
7 hunting, do I have the same preferences as somebody  
8 living in Wyoming?

9  
10 MR. BONDERANT: You have the same preference  
11 except they can regulate the cost of that thing because  
12 those people are paying taxes. But we are the only  
13 state in the United States that says non-residents  
14 can't hunt our Nelchina Caribou herd. You can't hunt  
15 it. You absolutely can't hunt it if you're a non-  
16 resident. We're the only state in the whole United  
17 States that does that. We're the only state that says  
18 that all the people that live in Anchorage, Fairbanks,  
19 Ketchikan and Juneau don't get the same rights as the  
20 rest of the people in Alaska. That's part of ANILCA.  
21 That's part of ANILCA. It's in the Federal Register.  
22 They put that in. They were describing what's rural  
23 and non-rural. So they can -- that's been fought in  
24 courts.

25  
26 MR. LOHSE: Okay, now are you telling me there  
27 are no hunts in the United States that a non-resident  
28 doesn't have the same right as a resident on?

29  
30 MR. BONDERANT: That they...

31  
32 MR. LOHSE: Because I think you're wrong on  
33 that one, but...

34  
35 MR. BONDERANT: Well, there may be some that  
36 they've come up but they won't stand court deals.  
37 See...

38  
39 MR. LOHSE: There are resident hunts in states  
40 down there that as a non-resident, you can't even get  
41 in the drawing for.

42  
43 MR. BONDERANT: Yeah, but they've got to put  
44 so many tickets out as a percentage basis for the rest  
45 of them.

46  
47 MR. LOHSE: As a percentage basis.

48  
49 MR. BONDERANT: And the same way they can  
50 charge you more if you can prove that the people in  
51 that state are paying taxes to support the management

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1 of the game. The rule of the thumb there is you can't  
2 charge them more than three times as much. That's the  
3 general rule of that thing.

4  
5 MR. LOHSE: We're charging more than three  
6 times as much in the state of Alaska.

7  
8 MR. BONDERANT: Well, we do a lot of things in  
9 the state of Alaska. They won't let me hunt and the  
10 Supreme Court of this state says that I'm a qualified  
11 hunter. Me and a guy by the name of Eastwood that  
12 lives up in Denali Park was in the McDowell one said  
13 these guys should be getting compensation -- for what  
14 -- you denied them a right to hunt. So the state of  
15 Alaska can't -- read the Constitution of the state of  
16 Alaska. It's the best constitution of any state in the  
17 United States. And we have people in this state that  
18 wants to change it. They want to change it. And if  
19 they ever change it, I'm going to demand that where it  
20 says, the fish, the wildlife and the waters are  
21 reserved for the people's common use. I'm going to ask  
22 them to put in, except those people that live in  
23 Anchorage, Fairbanks, Ketchikan and Juneau which is 60  
24 percent of the people in Alaska. They wiped out 60  
25 percent of the people in Alaska to do that. They've  
26 drawn circles around this state.

27  
28 They used to say that you had to live so close  
29 to the Nelchina caribou. I lived on the Kenai  
30 Peninsula, and where the caribou are at during hunting  
31 season, the people on the northern part of the Kenai  
32 Peninsula are closer to it than the people in Copper  
33 Center. But they're in the same unit, so they can all  
34 go hunting. So it ain't -- it's distance, it's, you  
35 know, it's all a bunch of crap, is what it is. It's  
36 all a bunch of crap. And if you've been in it as long  
37 as I have, you can see all these pitfalls.

38  
39 They say -- both the federal government and  
40 the state believe in sustained yield. That's the  
41 biggest bunch of crap. The federal government went to  
42 live biologists and asked them how many moose could be  
43 killed on the Kenai. They said, "We're going to take  
44 them all." Now what if the state had said that? We  
45 got state land here, and they'd said, "We're going to  
46 take them all." Do you think the federal government  
47 would have backed down? No. But the state did because  
48 they want to maintain the fish -- or the wildlife here.  
49 That's the way this thing's run. It's zip codes,  
50 mileposts, all that crap that's saying, you know, if  
51 you live at a certain milepost, you can hunt. If you

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1 don't -- you know it's laugh-...

2  
3 When I came to Alaska if they had tried to  
4 pull this, they'd have had a revolution. They would  
5 have. The old-timers up here say, "Oh no, everybody  
6 here is treated equal." That's why they built the  
7 Constitution. They spent more time on Alaska  
8 Constitution, Article 8, than they did all the rest of  
9 the articles in Alaska Constitution because they wanted  
10 that fish and game available to everybody. And we're  
11 up here trying to divide it up by milepost and all that  
12 stuff. We ought to be ashamed of ourselves. That's  
13 why I quit going to these things. I get so dang worked  
14 up about it. I'm in court and that's where we're going  
15 to win this. We're going to win it in court.

16  
17 CHAIRMAN EWAN: I have one additional comment,  
18 since you mentioned court. If we're all treated equal,  
19 why is it that Natives that constitute under 20 percent  
20 of the people there's almost 40 percent of them are in  
21 jail?

22  
23 MR. BONDERANT: Well, that may be. There's  
24 prejudice (sic).

25  
26 CHAIRMAN EWAN: They make up, I think,  
27 something like 30, 35 percent, I think it is. Yeah.

28  
29 MR. BONDERANT: But Mr. Ewan -- Mr. Ewan, you  
30 are preaching prejudice here too. You've done it  
31 tonight.

32  
33 CHAIRMAN EWAN: Well, I'm just telling...

34  
35 MR. BONDERANT: Ask these people if they  
36 haven't seen that.

37  
38 CHAIRMAN EWAN: I'm just pointing out that  
39 things are not equal as you say.

40  
41 MR. BONDERANT: The things are never equal but  
42 we should be fighting every day of our life to make it  
43 so that everybody has an equal consideration. Man  
44 himself is not equal. You know, this guy could  
45 probably whip the heck out of me and stuff like that.  
46 But that isn't what we're saying when we're in a  
47 democracy. We're saying that we have an obligation to  
48 see that I treat the man equal and that my government  
49 treats the man equal. That's my real way of life. I'm  
50 going to treat that guy equal and I'm going to see and  
51 fight as hard as I can for my government to treat

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1 everybody equal.

2  
3 And that's what Article 1 of our Constit- --  
4 it's the best written article there is and everybody  
5 should read it. It says that you have a corresponding  
6 obligation to all the people and to the state to see  
7 it. I used that to go for standing in our -- I said  
8 I'm representing the state because Tony Knowles dropped  
9 out of the case. Hickel didn't pursue it after we won  
10 it in the Supreme Court. So I am representing the  
11 state in these court cases. I think I have that right.  
12 And I would like for you guys that sit on these  
13 advisory boards and stuff to think. You don't have the  
14 obligation to agree with this and accept it and that  
15 stuff. You have an obligation to say, "Heck, no."  
16 These are the guys that you should be representing out  
17 here. You shouldn't be trying to work with this thing.  
18 It's wrong; it's false. And that's what we need. We  
19 need people that'll stand -- I wish the Fish and Game  
20 Board would walk away from this.

21  
22 The Native leaders in this group, did you ever  
23 hear Sidney Huntington talk about it? He said that's  
24 the biggest bunch of crap there is. He went back to  
25 Washington three different times and talked against it.  
26 They asked him, "Well, what if your kid's hungry?"  
27 He said, "I'd go out and kill the game." He raised 13  
28 kids. And he said, "Nobody in Alaska would ever bitch  
29 about that." They wouldn't. But now they're getting  
30 them divided between Native and non-Natives because  
31 there's some of the leaders -- and this is what leaders  
32 does -- they're not just Native leaders. Our own  
33 leaders, part Native, part White and all that. They  
34 use their own people to keep their strength.

35  
36 We didn't have these problems. I used to be a  
37 head of a union. And you could go to anybody that  
38 worked in that union and find out how I represented a  
39 lot of Native people. And I done it just as hard as I  
40 did anybody. I don't have prejudism. Like I say, I'm  
41 part North American Indian. But, you know, this is  
42 becoming an issue to divide these people.

43  
44 This Ninilchik is what made me mad. When they  
45 gave the Native Council 20 moose. Isn't that based on  
46 ethnic? You can't say it isn't. And you people are  
47 going along with it. You're the people that are  
48 saying, "Give them 20 moose and don't give it to  
49 anybody else in the Ninilchik area. Give it to the  
50 Native Council." You know...

51

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1 CHAIRMAN EWAN: I think we gave them the  
2 opportunity; we didn't give them 20 moose.

3  
4 MR. BONDERANT: Well, you've given the  
5 opportunity just to them.

6  
7 MR. OSKOLKOFF: With all due regard, do we  
8 have anybody else to testify?

9  
10 CHAIRMAN EWAN: I don't know.

11  
12 MR. CHRISTENSEN: I have one observation and  
13 then I'm going to get out of here because it's obvious  
14 where this is going to go. Of all the people on this  
15 board, aside from the fellow over there I haven't heard  
16 a word from, Lee Basnar is the only one that appears to  
17 me that's going to represent us in a fair fashion.  
18 I've been -- grew up in a little fishing town in the  
19 Southeast. That town was founded by a guy the name of  
20 Charlie Raddican (ph) and I defy you to find that in  
21 your ancestry. That happened to be a Scandinavian  
22 (sic) that founded that town. As soon as this Native  
23 issue came up, my friends and my mother's and father's  
24 friends who were all Native down there, who we didn't  
25 have a problem with, that sat at our table and fed with  
26 us, turned their back on us because of this issue. And  
27 it's happening more and more now. And I can see now,  
28 from what I've heard from here and from you sitting  
29 there saying that 20 percent -- you represent 20  
30 percent of the people and 40 percent of the Natives are  
31 in jail. That's probably because they're doing  
32 something wrong.

33  
34 CHAIRMAN EWAN: No, what I said was...

35  
36 MR. CHRISTENSEN: It has nothing to do with  
37 prejudice.

38  
39 CHAIRMAN EWAN: ...that we constitute less  
40 than 20 percent of the population but there's upwards  
41 of 30 percent of our people that are in jail. I  
42 mean...

43  
44 MR. CHRISTENSEN: Then stop doing things  
45 wrong.

46  
47 CHAIRMAN EWAN: ...the total population of the  
48 prison system.

49  
50 MR. CHRISTENSEN: Tell your kids to stop doing  
51 things wrong. I mean, there's always that observation.

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1 And I'll tell you something, there are people right in  
2 Anchorage who are just as poor as the people in  
3 Glenallen. Can't afford four wheelers and have just as  
4 much right and need for that subsistence.

5  
6 MR. BONDERANT: There's a lot of Natives in  
7 Anchorage that are that poor too, but they don't have  
8 any rights at all.

9  
10 CHAIRMAN EWAN: All right. Let's just cut it  
11 off here now. I think you all had your say. I'm glad  
12 everybody aired their concerns. I hope I didn't offend  
13 anybody. I just wanted you to know how I felt. I feel  
14 there are preferences just like I stated. It's a fact.  
15 There's no getting around it. I'd like to go over the  
16 process really quick like tomorrow so that you'll know  
17 when these things are going to be taken up and if you  
18 have any additional comments on the Homer rural area or  
19 the Kenai rural area, that's still open for discussion.  
20 Taylor?

21  
22 MR. BRELSFORD: Mr. Chairman, in view of the  
23 late hour, I think we're going to have to wrap up very  
24 soon. The agenda had asked for any comments concerning  
25 resource uses in the Homer rural area described on the  
26 map or in some of the rural portions of Unit 15A and B,  
27 the Kenai rural area. I think most of the testimony  
28 was intended to cover, in a more general sense, all of  
29 these issues. And I think what we'll probably need to  
30 do is go ahead and close now and receive additional  
31 testimony tomorrow if there is any.

32  
33 The item that we would start with at 8:30  
34 would be board -- council deliberation. Discussion  
35 about C&T determinations, about recommendations on that  
36 topic for the entire Kenai Peninsula. So it would turn  
37 to council discussion and the possibility of proposals  
38 for determinations or changes.

39  
40 CHAIRMAN EWAN: All right, thank you Taylor.  
41 I guess that wraps it up for tonight. I'll entertain a  
42 motion to adjourn until 8:30 in the morning.

43  
44 MR. BASNAR: It's a recess.

45  
46 MR. OSKOLKOFF: It's recess.

47  
48 CHAIRMAN EWAN: Recess, yeah. Recess, yeah.

49  
50 MR. BRELSFORD: I think you can just call a  
51 recess, Mr. Chairman.

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1  
2 CHAIRMAN EWAN: I call recess until 8:30 in  
3 the morning.  
4

5 (6100)  
6

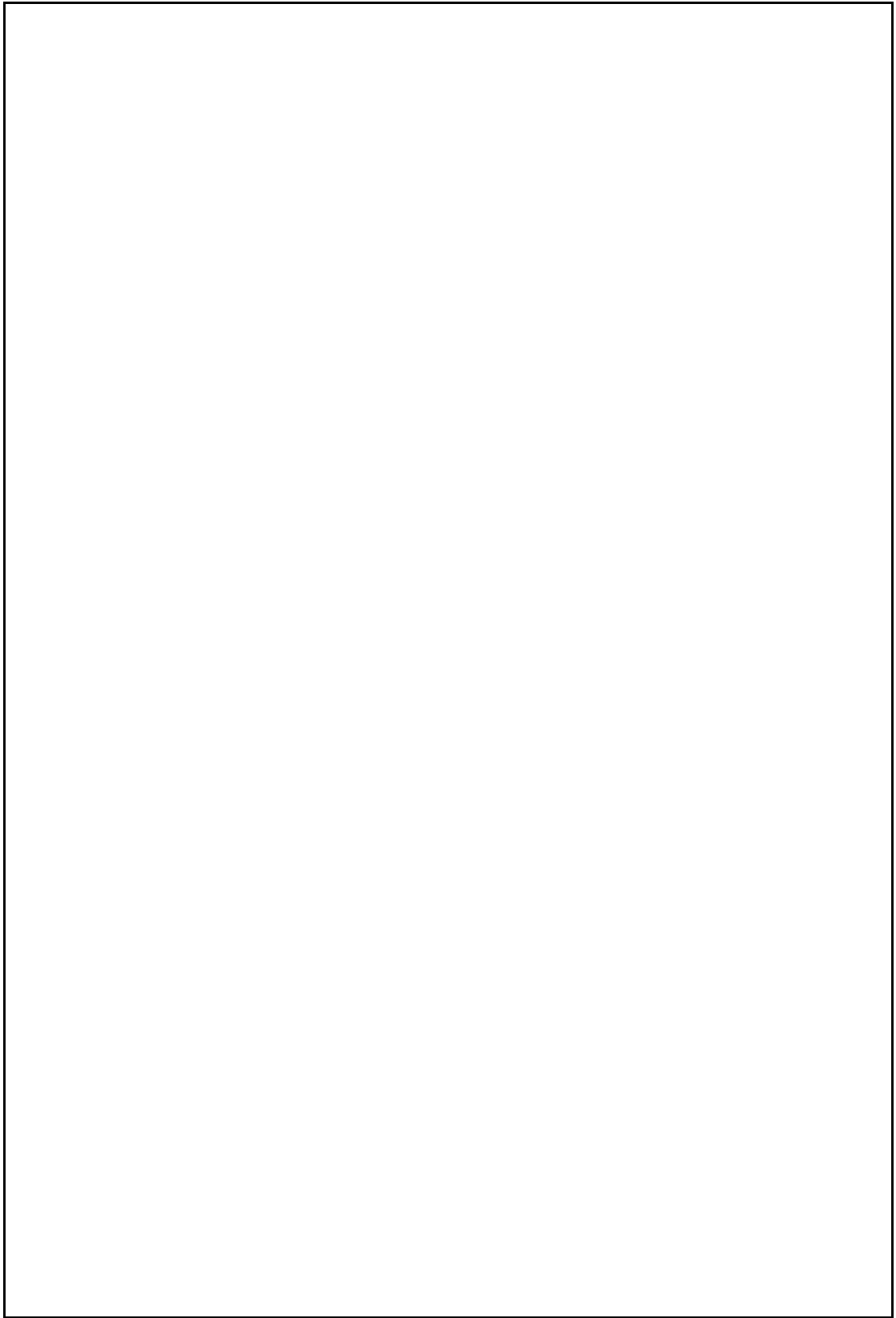
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